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THE FUGITIVE SLAVE ACT DECLARED UNCONSTITUTIONAL AND VOID.

OPINION OF THE HON. A. D. SMITH,

Justice of the Supreme Court of the State of Wisconsin,

In the matter of the Petition of Sherman M. Booth, for a Writ of Habeas Corpus, and to be discharged from Imprisonment.

MADISON, June 7, 1854.

ON the 27th ult., application was made to me by Sherman M. Booth, the petitioner, for a writ of *habeas corpus*, to be directed to Stephen V. R. Ableman, who, it was alleged, restrained the petitioner of his liberty. Accompanying the petition was a copy of the process, by virtue of which, it was alleged, the petitioner was held in custody.

This writ purported to be what is commonly called a *mittimus*, issued by Winfield Smith, Esq.

"A Commissioner duly appointed by the District Court of the United States for said District (District of Wisconsin), under and by virtue of the several acts of Congress," and recited that the petitioner was "charged on oath with having, on the 11th of March, 1854, at the City of Milwaukee, in said County and District, unlawfully aided, assisted and abetted a person named Joshua Glover, held to service or labour in the State of Missouri, under the laws thereof, and being the property of one Benjamin S. Garland, and having escaped therefrom into the State of Wisconsin, to escape from the lawful custody of Charles C. Cotton, a deputy of the Marshal of the United States for the District of Wisconsin, the said Charles C. Cotton, having then and there arrested and taken into custody the said Joshua Glover, by virtue of a warrant issued by the Judge of the United States for the said District, pursuant to the provisions of the act of Congress in that case made and provided, approved September 13, 1854," &c.

The writ goes on to recite an examination before a Commissioner, its result in holding the petitioner to bail, the giving of the required bail, his subsequent arrest and surrender by his bail, the order of the Commissioner to enter into recognizance again, his neglect and refusal so to do, and hence the issuing of the writ; and closes with the following command:

"Now, therefore, you, the said Marshal, are hereby commanded forthwith to convey and deliver into the custody of the keeper of the said common jail, the body of the said Sherman M. Booth, and you, the said keeper of the said common jail, are hereby commanded and required to receive the said Sherman M. Booth into your custody in the said jail, and him there safely keep, until he shall be discharged by due course of law."

In his application or petition, the petitioner alleged the illegality of his imprisonment to consist in the following, viz.: That the act of Congress, referred to in the said warrant, is unconstitutional and void; also that Congress has no constitutional power or authority to punish the offence with which said Booth is charged and for which he is detained; that the act of Congress of 1850 is in violation of the provisions of compact, unalterable, except by common consent, contained in the Ordinance of 1787, for the government of the Territory north-west of the Ohio River, and that therefore said act is not in force in said State.

"And also that it is alleged in said warrant, and also in the complaint on which the same was founded (all of which appears by said warrant), that the said Joshua Glover was the property of the said Benjamin S. Garland, whereas the said act of Congress, under which said complaint was made, punishes the aiding, &c., in the escape of 'persons held to service or labour under the law,' &c., and not the aiding in the escape of 'property,' for which reason said warrant is defective in substance and form."

Upon this application, I could not hesitate to issue the writ according to the prayer of the petitioner. I had hoped, indeed, that, inasmuch as at least two opportunities had been presented to the petitioner, since his original arrest, to apply to the Supreme Court in term time for this writ, that he would have done so, had he been disposed to avail himself of its instrumentality. The Court was in session at the time of his arrest, and an adjourned session was held, commencing on the 15th of May, at either of which times the petitioner might have presented his application, and obtained the opinion and judgment of the whole Court; and I am at a loss to conceive the motive which may have induced him or his advisers to forego such opportunities. But I have no right to complain that any citizen calls upon me for the discharge of any duty pertaining to my office. I do not complain. Yet I cannot but feel the immense responsibility thrown upon me alone, and may be pardoned for expressing my regret that I am deprived of the aid and counsel of my associates, so much better able to cope with the grave and intricate questions involved than I am myself. Whether from design or from necessity, this application has been made to me, I meet the emergency with all the anxiety and concern which it cannot fail to excite, and I hope with some share of the firmness which the occasion and the nature of the questions involved imperatively demand.

There was no question pertaining to the subject matter of the application, nor connected with the parties, which approached in the slightest degree to a conflict of jurisdiction between the State and Federal Courts, or the Judges thereof. The warrant by virtue of which the petitioner was held was not issued by a Federal Judge or Court, but by a Commissioner of the District Court of the United States. No exclusive or ultimate jurisdiction can be claimed for an office of this kind. As one of the justices of the highest judicial tribunal of this State, which tribunal represents in that behalf the sovereignty of the State, I could not deny to any citizen or person entitled to the protection of the State, the proper process by which the validity of a warrant issued by such authority could be examined. Nor can I admit that a Court Commissioner, holding his appointment at the will of the Court, responsible only to such Court, in fact irresponsible and unimpeachable, has the right or power, or can have the right or the power, to issue any process by which a citizen of the State may be imprisoned, that may not be examined and its validity tested by the proper judicial authority of the State. Indeed, we may go further, and say that as every citizen has a right to call upon the State authority for protection, and as the judicial power is that only to which application can be made by the citizen, it is the duty of the judicial officer, when applied to, to see that no citizen is imprisoned within the limits of the State, nor taken beyond its limits, except by proper, legal and constitutional authority. It is not in the power of anybody to divest the State Judiciary of such authority, nor can anybody but the people themselves absolve the judicial officers of the State from the performance of their duty in this behalf.

It is not necessary here to inquire what would be the force and effect of a warrant like the present one, were it used by a judicial officer of the United States. I confess, however, that I have never been able to appreciate the liability to, or danger of, or necessity for collision between the judicial and ministerial authority of the States and the United States.

The line of demarcation is not very dim, and a proper regard to the peculiar functions of each class of officers will render all apprehension on that score a work of supererogation. But the State will never submit to the assumption that United States Court Commissioners have the power to hear and determine upon the rights and liberties of their citizens, and issue process to enforce their adjudications, which is beyond the examination or review of the State Judiciary. They will cheerfully submit to the exercise of all power and authority of the Federal Judiciary, which is delegated to that department by the Federal Constitution, but they have a right to insist, and they will insist, that the State Judiciary shall be and remain supreme in all else, and that the functions of the Federal Judiciary within the territory of the States shall be exercised by the officers designated or provided for by the Constitution of the United States, and not be transferred to subordinate and irresponsible functionaries holding their office at the will of the Federal Courts, doing their duty and obeying their mandates, for which neither the one nor the other is responsible.

Every jot and tittle of power delegated to the Federal Government will be acquiesced in, but every jot and tittle of power reserved to the States will be rigidly asserted, and as rigidly sustained.

It is only by exacting of the Federal Government a rigid conformity to the prescribed limitation of its powers, and by the assertion and exercise on the part of the States of all the powers reserved to them, and a due regard by both to their just and legitimate sphere, that obedience can be rightfully exacted of the citizen, to the authority of either.

Entertaining the opinion that the Commissioner of a United States Court had no rightful authority to imprison a citizen of this State or any other person entitled to the protection of its laws, by any process which precluded the State authority from inquiring into the proceedings of such Commissioner, and on inspection of the writ, a copy of which was presented with the petition, I could not deny the writ of habeas corpus prayed for.

The Marshal to whom the writ was directed, in conformity with the double allegiance which we all owe to the State and to the United States, promptly made return, bringing the body of the petitioner before me, and showing as the cause of his caption and detention a copy of the mittimus hereinbefore mentioned.

The petitioner demurred to the return of the Marshal, and thus the whole question of the legality of the Commissioner's process, both in respect to its form and substance, and the validity of the law of Congress, for the alleged violation of which the petitioner was arrested, is fairly and fully presented.

The petitioner demands his discharge from imprisonment on two grounds.

1st, Because the law of Congress, approved the 18th of September, 1850, in relation to the extradition of fugitives from service or labour, is unconstitutional; and

2d, Because the writ is defective.

Had the determination of this matter been placed upon the insufficiency of the writ alone, I should have had little difficulty in arriving at a conclusion, because I entertain no doubt that the writ is so substantially defective, that the discharge of the petitioner must for that cause alone have been ordered. But the petitioner has, through his counsel, expressed his desire to waive all objections to the form or substance of the warrant, and to rest his case solely upon his objections to the constitutionality of the law in question.

The Constitution of the United States is the fundamental law of the land. It emanated from the very source of sovereignty as the same is recognised in this country. It is the work of our fathers, but adopted and perpetuated by all the people, and thus becomes our own. It is natural that the citizen should have a more profound regard for the fundamental law of his State or Government than for a mere act of a Legislature, because the former is more directly the work of his own hand. He has by his vote, mediate or immediate, established it as the great charter of his rights, and by which all his agents or representatives in the conduct of the government are required to square their actions. By the standard of the Constitution, he has a right to judge of the acts of every officer or body whose existence as such is provided for by it. By the same standard he must regulate his own acts, and to it he may at all times appeal for the protection of his rights secured by it, and for a measured judgment upon his own conduct.

I recognise most fully the right of every citizen to try every enactment of the Legislature, every decree or judgment of a court, and every proceeding of the executive or ministerial department, by the written fundamental law of the land. This must be done in a proper and legal manner, in conformity with the rules prescribed by that same law, or in accordance with its provisions; but no law is so sacred, no officer so high, no power so vast, that the line and the plummet of the Constitution may not be applied to it. It is the source of all law, the limit of all authority, and the primary rule of all conduct, private as well as official, and the citadel of personal security and liberty.

[Here we omit the consideration of the objections to the warrant, in the course of which the Judge speaks of the Fugitive Act as a "wicked and cruel enactment," and says that those who feel compelled to execute it may well require of those who demand official service at their hands, that in taking their "pound of flesh," they shall not "shed one drop of their blood."]

The warrant, a copy of which is returned by the Marshal, as the authority by which the prisoner is held, is clearly, substantially and radically insufficient, and the petitioner is, therefore, entitled to discharge.

And here, perhaps, I might dismiss this case, and avail myself of the defect of the process to escape from the performance of any further duty in the premises; but it is further urged that the act of Congress of 1850 is unconstitutional and void. I would gladly escape from the responsibility of deciding upon a question so grave. It would be a much more easy and quiet course to stop here, if I could reconcile such a course with my sense of duty. But believing as I do, that every State officer who is required to take an oath to support the Constitution of the United States, as well as of his own State, was designedly placed by the Federal Constitution itself as a sentinel to guard the outposts as well as the citadel of the great principles and rights which it was intended to declare, secure and perpetuate, I cannot shrink from the discharge of the duty devolved upon me. I know well its consequences, and appreciate fully the criticism to which I may be subjected. But I believe most sincerely and solemnly that the last hope of free, representative and responsible government rests upon the State sovereignties, and the fidelity of State officers to their double allegiance to the State and Federal Governments, and, so believing, I cannot hesitate in performing a clear and indispensable duty. Seeking and enjoying the quiet and calm so peculiar to the position in which I am placed, I desire to mingle no further in the political discussions of the times than the clear suggestions of official obligation require.

But he who takes a solemn oath to support the Constitution of the United States, as well as of the State of Wisconsin, is bound by a double tie, to the Nation and his State. Our system of Government is two-fold, and so is our allegiance. Federal officers feel less of this, because their oath binds them only to the Constitution of the United States; but State officers have the weight of both resting upon them. To the latter is peculiarly the duty assigned, or rather upon the latter, of necessity, does the obligation rest of ascertaining clearly, and of asserting firmly, the peculiar powers of both Governments, as circumscribed by the fundamental law of each. To yield a cheerful acquiescence in, and support to every power constitutionally exercised by the Federal Government, is the sworn duty of every State officer; but it is equally his duty to interpose a resistance, to the extent of their respective powers, to every assumption of power on the part of the General Government, which is not expressly granted or necessarily implied in the Federal Constitution.

Nor can I yield to the doctrine early broached, but as early repudiated, that any one department of the Government is constituted the final and exclusive judge of its own delegated powers. No such tribunal has been erected by the fundamental law. The judicial department of the federal government is the creature, by compact, of the several States as sovereignties. The department can exercise no power not delegated to it. All power not delegated and not prohibited to the States, the States have expressly reserved to themselves and the people. To admit that the Federal Judiciary is the sole and exclusive judge of its own powers, and the extent of the authority delegated, is virtually to admit that the same unlimited power may be exercised by every other department of the General Government, both Legislative and Executive, because each is independent and co-ordinate with the other. *Neither* has any power but such as the States have delegated, and *all* power not delegated, remains with the States and the people thereof. In view of the vastly increasing power of the Federal Government, and the relatively diminished importance of the State sovereignties respectively, the duty of the latter to watch closely and resist firmly every encroachment of the former becomes every day more and more imperative, and the official oath of the functionaries of the States becomes more and more significant. As the power of the Federal Government depends solely upon what the States have granted, expressly or by implication, and as no common judge has been provided for, to determine when the one or the other shall have proved unfaithful to the compact, the solemn pledge of faith exacted from both has been deemed an effectual guaranty, and a frequent recurrence to the fundamental principles on which our Government is organized, a sufficient stimulus to every public officer and to the people at large, both to yield and exact a perfect conformity. But I solemnly believe that the last hope of free representative Federal Government rests with the States. Increase of influence and patronage on the part of the Federal Government naturally leads to consolidation, consolidation to despotism, and ultimate anarchy, dissolution, and all its attendant evils.

If the sovereignty of the States is destined to be swallowed up by the Federal Government, if consolidation is to supplant Federation, and the General Government to become the sole judge of its own powers, regardless of the solemn compact by which it was brought into existence, and the source of its own vitality; as an humble officer of one of the States, bound to regard the just rights and powers, both of the Union and the States, I want my skirts to be clear, and that posterity may not lay the catastrophe to my charge. I am truly thankful for the same feeling of conscientious firmness on entering upon the discharge of the duty before me, as would be required in case of direct invasion, open rebellion, or palpable treason against our common country.

Without the States there can be no Union. The abrogation of State sovereignty is not a dissolution of the Union, but an absorption of its elements. He is the true man, the faithful officer who is ready to assert and guard every jot of power rightfully belonging to each, and to resist the slightest encroachment or assumption of power on the part of either.

The Constitution of the United States is a peculiar instrument, and it has brought into existence and operation a peculiar system of government. But little, if any, aid is furnished in its construction by analogy. It is not merely a grant of powers. It not only confers *powers* upon the Federal Government, but it guarantees *rights* to the States and to the citizens. It was not designed merely to provide a General Government for all the States, but to provide security and protection for the States and people who are parties to the contract by which it is created. Not only did it confer certain powers upon the General Government, but it imposed solemn duties upon the Government thereby created, and upon the States who were its creators. More than this; it solemnly enjoined upon both the States and the General Governments the exercise of certain powers and duties, and the abstaining by each from the exercise of powers and functions exclusively pertaining to either.

It is an instrument of grants and covenants. Something like an indenture of conveyance, it contains not only grants of powers, but covenants for the faithful observance of the stipulations therein contained. It creates three distinct departments of government, the executive, legislative and judicial, and grants to each the powers which it was designed that they should respectively exercise; and those powers not granted or prohibited to the States, it especially reserved to the States and the people. In addition to this, the States, the sole parties to the instrument, by it, solemnly and mutually engaged that they would do certain things, and certain things they would not do, and that certain things should not be done, either by the Government of the Union or of the States. The language of the Constitution is so peculiar, that the distinction between power to be conferred upon the Government about to be created, and covenants entered into between the parties, as States, is obvious at a glance. Congress may exercise all the legislative power *granted* in the Constitution, but no other, because all others are especially reserved to the States and to the people. In the same article which grants the legislative powers to Congress, and enumerates and defines them, is contained also a prohibitory covenant or compact, by which the States have agreed not to do certain things, which, before, as sovereignties, they had an undoubted right to do. "No State shall grant Letters of Marque and Reprisal, coin money, emit bills of credit, make anything but gold and silver coin a legal tender, pass any bill of attainder, ex post facto law, or any law impairing the obligation of contracts," &c.

Now suppose, in violation of this compact, any State should do any of the things herein prohibited. Is it pretended that Congress has the right to make such acts on the part of the officers of the State penal? Or by legislation call such offending States to account? Exclude it from the Union? Expel its representatives from their seats? Arrest its executive, its legislators and judges, and imprison them? The acts of such State would be simply void; and it would be the duty of all Courts, both Federal and State, so to declare them. They would afford no protection to any person or officer acting under them, not because Congress has any legislative power to denounce or abrogate them, but because they are in violation of the fundamental law.

So, also, in the same section, are contained sundry prohibitions upon the United States; among which is the following: "The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it." Suppose, in a time of profound peace and quiet, the Federal Government should pass a law suspending the privileges of this writ. Would the State Government have the power to call to account the Federal officers who had violated the compact in this behalf? The legislators who passed, and the executive who approved it? Not at all. Such an act of Congress would simply be void, and it would be the duty of every State and Federal court so to pronounce it, and it would afford no protection to any officer, State or Federal, for refusing to obey such writ.

I mention these illustrations to show that a great portion of our Federal Constitution rests in compact, while still another portion rests in grant. Where powers are granted, they are to be exercised; where rights rest in compact, they have still the force of law; but the Federal Government has no power to legislate upon them; they are to be obeyed and enforced by the parties to the compact, the States themselves.

I come now to consider the 4th article of the Federal Constitution. The first section provides that "Full faith and credit shall be given in each State, to the public acts, records and judicial proceedings of every other State," &c. The first appearance of the various provisions of this article (except in relation to fugitives from labour), in the National Convention, was in the "plan of a Federal Constitution," submitted by Charles Pinckney, of South Carolina, May 29, 1787.—2 *Mad. Pap.*

The plan contained no reference to fugitives from labour. Various plans were submitted and referred, propositions made and adopted or rejected, when, on the 25th day of July, 1787, a Committee of Detail was appointed, consisting of seven members, of which Mr. Rutledge of S. C. was chairman, "to report a constitution conformable to the resolutions passed by the Convention."—2 *Mad. Pap.*, 1, 197.

On the 6th day of August Mr. Rutledge, from the Committee of Detail, made a report. In that report the several sections now contained in the 4th article (except the clause in relation to fugitives from labour, which had not yet been thought of) followed each other, and the article in regard to records as yet stopped with the mere assertion of the covenant, that full faith, &c., should be given to them; no power was given to Congress over the matter as yet.

The first suggestion that appears in regard to fugitives from labour was made on the 28th day of August, 1787, when article 15, as reported by the Committee of detail, was taken up. This article provided for the surrender of fugitives from justice.

"Mr. Butler and Mr. Pinckney of South Carolina moved to require Fugitive Slaves and servants to be delivered up like criminals.

"Mr Sherman saw no more propriety in the public seizing and surrendering a slave or servant than a horse.

"Mr. Butler withdrew his proposition, in order that some particular provision might be made apart from this article."—*Mad. Pap.* 1,447—8.

On the 29th of August, the provision in regard to Public Acts and Records came under consideration, when various propositions of amendment were made, and were finally referred to a committee, of which Mr. Rutledge was Chairman. On the 1st of September, the article, among other matters, was reported back, and now, for the first time, was incorporated in it a power on the part of Congress to legislate upon the subject. Dr. Johnson of Conn. objected to the grant of such power, because it would authorize the General Legislature to declare the effect of the legislative act of one State in another State, and Mr. Randolph objected that it might enable the Government to usurp all State powers. After some amendments the report was agreed to, and thus, in addition to the compact, by which full faith and credit were covenanted to be given to the public acts, records, &c., of one State by every other State, Congress was granted the "power to prescribe, by general laws, the manner of proving them, and the effect thereof."

This history is important, as it not only justifies and requires a distinction to be taken between grants of power and articles of compact, but it clearly demonstrates that the Convention all along discriminated between grants of power to the Government, and articles of compact between the States, and was extremely jealous and cautious in making such grants, and only did so when it was deemed absolutely necessary.

Having now traced through this compact, and discovered the time and manner when it became coupled with a power, let us trace along its neighbour in regard to the reclaiming of Fugitive Slaves, and discover, if we can, the time and manner in which it shall be coupled with a grant of power to Congress to secure its efficacy by legislation. We have seen that the first suggestion in regard to the subject was on the 28th day of August, when Mr. Pinckney and Mr. Butler moved to connect it with the surrender of fugitives from justice, but withdrew the proposition for the purpose of making a separate provision. On the 29th day of August, Mr. Butler offered such provision in these words:

"If any person, bound to service or labour in any of the United States, shall escape into another State, he or she shall not be discharged from such service or labour in consequence of any regulations subsisting in the State to which they escape, but shall be delivered up to the person justly claiming their service or labour." "Which was agreed to *nem con.*"

Here we have all the discussion upon the subject. Plan after plan for the organization of the Government was made and presented, resolution upon resolution offered and discussed, embracing the whole ground of the Federal and State rights and powers, without one word being mentioned of fugitive slaves; and when it did occur to the minds of some members, suggested unquestionably by the clause in regard to fugitives from justice, it is quickly agreed that the States would deliver up such fugitives from labour. No power was asked for the Federal Government to seize them; no such power was dreamed of; the proposition that the States should respectively deliver them up was acquiesced in without any dissent. Yet we are told, *arguendo*, by judicial authority, that, without such a clause, the Union could not have been formed, and that this provision was one of the essential compromises between the South and the North. In point of fact, it did not enter in the slightest degree into the compromises between the North and the South. I have had time and opportunity to examine the debates in the Conventions for the adoption of the Constitution of only the States of North Carolina and South Carolina. In the former, the whole of article 4 was read, and though the grants of power, as contradistinguished from mere compact, were scrutinized closely, no objection was made to the absence of such grant, but the article was acquiesced in, with only a few words of explanation from Mr. Iredell, who stated that the "Northern delegates, owing to their particular scruples on the subject of Slavery, did not choose the word *slave* to be mentioned, but that was their meaning." In the South Carolina Convention, I have been unable to find a word of comment on the subject. In Virginia, it was discussed by Messrs. Madison and Randolph, who never claimed for it the character of a power delegated to the National Government. It is nowhere mentioned as entering into the compromises of the Constitution. How, then, can any one say, that without this provision, the Union could not have been formed? And yet such assertion, contradicted by the truth of history, is made the pretext for the exercise of powers by the General Government that could not stand for a single moment upon a similar basis, in respect to any other subject-matter.

We have seen how the power of legislation was granted to Congress in respect to public records, &c. We have seen that no such power is granted in respect to the surrender of fugitives from labour, and that it was not even asked for; and from the known temper and scruples of the National Convention, we may safely affirm that if it had been asked it would not have been granted, and had it been granted no union could have been formed upon such a basis. The history of the times fully justifies this conclusion. Can it be supposed for a moment, that had the framers of the Constitution imagined that under this provision the federal Government would assume to override the State authorities, appoint subordinate tribunals in every county in every State, invested with jurisdiction beyond the reach or inquiry of the State Judiciary, to multiply executive officers *ad infinitum*, wholly independent of, and irresponsible to, the police regulations of the State, and that the whole army and navy of the Union could be sent into a State, without the request and against the remonstrance of the Legislature thereof; nay, that even under its operation the efficiency of the writ of Habeas Corpus could be destroyed, if the privileges thereof were not wholly suspended; if the members of the Convention had dreamed that they were incorporating such a power into the Constitution, does any one believe that it would have been adopted without opposition and without debate? And if these results had suggested themselves to the States on its adoption, would it have been passed by them, *sub silentio*, jealous as they were of State Rights and State Sovereignty? The idea is preposterous. The Union would never have been formed upon such a basis.

The clause in regard to public records forms one section by itself, with its grant of power added upon full consideration. The second section of the same article contains three clauses, but all grouped and numbered together.

"The citizens of each State shall be entitled to all privileges and immunities of citizens of the several States."

"A person charged in any State with treason, felony or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime."

"No person held to service or labour in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such labour or service may be due."

Here is the whole of the section, without one word of grant, or one word from which a grant may be inferred or implied. Congress has the same power to legislate in regard to fugitives from justice or labour. But it may be asked, how are the rights here stipulated and guaranteed to be enforced? I answer that every State officer, executive, legislative and judicial, who takes an oath to support the Constitution of the United States, is bound to provide for and aid in their enforcement according to the true intent and meaning of the Constitution. But what if one or more States should refuse to perform their duty, and its officers violate their oaths and repudiate the compact? This question is answered by asking another: What if Congress should declare a single violation of one of its laws treason, and that a conviction thereof should work corruption of blood and forfeiture of estate beyond the life of the person attainted, and the judicial department should pronounce it valid, and the executive attempt to enforce it? The simple answer is, that when the State and Federal officers become so regardless of their oaths and obligations as either question implies, anarchy or revolution, or both, must supervene—for the Government would be a willful departure from the fundamental law of its organization, and the people would be absolved from their allegiance to it. I do not mean to say that every minor or unintentional departure from the Constitution must work such disastrous results. On the part of the States and people there is a fixed attachment to the Constitution; and when its provisions are violated or its restraints overleaped, discussion ensues, and the Government is brought back to the constitutional track; but I repudiate the degrading insinuation that State officers are less faithful to the Constitution than Federal officers. On the contrary, from the very fact that upon them is devolved the duty and responsibility of guarding the rights and sovereignty of the States under the compact of the Union, they must necessarily be more watchful of the exercise or assumption of power on the part of the States respectively and the General Government than Federal officers would naturally be.

It may be again repeated, and cannot be repeated too often, that upon the States rests the immense responsibility of preserving not only their own sovereignty, but the just constitutional powers of the General Government. Let it also be remembered that the States and their civil functionaries are as essential to the existence and operation of the Government of the Union as are the peculiar officers of the latter. Each and all are parts of a united whole, and all are bound by the most solemn ties of fidelity to all and each.

What would be thought of the people of this country should Congress pass a law to carry into effect that clause of the 4th article in regard to citizenship, and declare pains and penalties against any State functionary who should fail to comply? What would be thought if Congress should declare it a penitentiary offence for any Executive of a State to refuse to surrender a fugitive from justice? What State would submit to see its Chief Magistrate dragged before the Federal tribunals on charge of infraction of such a law, or what Federal Court would assume to compel his obedience by mandamus? And yet the assumption of power to legislate at all upon the subject is assuming supreme and unlimited power over the whole matter. There is no middle ground. A bare statement of the proposition assumed is its most effectual refutation.

The law of 1793 was in fact but little, if any, more than organizing the State authorities, for the accomplishment of the constitutional duties devolved upon them. For that very reason it passed without scrutiny, and for a long time was obeyed without question. It was *practically* nothing more than the States themselves carrying out the constitutional compact. Not until it began to be required that the States should yield up all control over these subjects, and a prostration of their sovereignty was demanded, did attention become aroused. No importance therefore can justly be attached to the fact that this act was passed by an early Congress and was signed by the Father of his country, and was acquiesced in by the States and people. It is a remarkable fact that the most startling deviations from strict constitutional limits occurred in the very earliest years of the Republic. So it must always be. But time, discussion, and experience have heretofore proved adequate correctives. So may they ever prove. Added to these, State sovereignty jeopardized, federal encroachment apprehended, and consolidation menacing, can hardly fail to accomplish the desired ends.

To my mind, therefore, it is apparent that Congress has no constitutional power to legislate on this subject. It is equally apparent, that the several States can pass no laws, nor adopt any regulations by which the fugitive may be discharged from service. All such laws and regulations must be declared void whenever they are brought to the test of judicial scrutiny, State or national. It is equally apparent that it is the duty of the respective States to make laws and regulations, for the faithful observance of this compact. They have generally done so, and doubtless would have continued so to do, but for the decision of the United States Supreme Court in the case of *Prigg* vs. *Commonwealth of Penn.* It is still their duty so to do.

Again, it is to my mind apparent, that the provision of the Constitution in regard to fugitives from labour or service contemplates a judicial determination of the lawfulness of the *claim* which may be made.

Mr. Butler of South Carolina, who reported the clause, for the first time, Aug. 29, 1787, framed its conclusion as follows: "But shall be delivered up to the person JUSTLY claiming their service or labour." How was the *justice* of the claim to be ascertained? Who were to determine it? Fugitives were not to be discharged in consequence of any law or regulation of the States to which they may have fled. Not discharged by whom? The Federal Government? No, but by the States, in consequence or by virtue of any law or regulation therein. "But shall be delivered up." By whom? Evidently by the same power which had covenanted not to discharge them. Shall be delivered up by the States, not seized by the Federal Government.

The clause as finally adopted reads, "but shall be delivered up on claim of the party *to whom such service or labour is* DUE." Here is a fact to be ascertained, before the fugitive can be legally delivered up, viz.: that his service or labour is really due to the party who claims him. How is the fact to be ascertained? A claim is set up to the service of a *person*. He who makes the claim is denominated by the Constitution a party. The claimant is one party, the person who resists the claim is another party. If he really owes the service according to the laws of the State from which he is alleged to have escaped, he must be delivered up. If the claim is unfounded, he cannot be delivered up. The Constitution itself has made up the issue and arranged the parties to it. Can any proposition be plainer than that here is suspended a legal right upon an issue of fact, which can only be determined by the Constitutional judicial tribunal of the country? It bears no analogy to the extradition of fugitives from justice. In the latter case, no issue is presented by the Constitution; judicial proceedings have already been commenced, and this is but a species of process to bring the defendant into Court. No *claim* is to be determined. He is to be delivered up from the mere fact that he is charged to be removed to the State demanding him for trial. He is placed in the custody, and under the protection of the law, in the regular course of judicial proceedings. But in the former case there can be no delivery until the claim is tried and determined, and then the fugitive is delivered, not into the custody of the law, but into the possession and control of the party who has established his claim; not to be removed to another State or tribunal for trial, with the shield of the law over him, but to be reduced, without further process or trial, to absolute subjection, to be taken whithersoever the claimant may desire. In the one case the proceedings are commenced and terminated where the claim is made; in the other the suit is commenced where the offence is committed, and the law sends out its process to bring the defendant to meet the issue. While that process is being served, through all its mutations, he is as much under the protection of the law as he who executes it, and in its eye both are equal.

Here there is a fact, an issue, to be judicially determined before a right can be enforced. What authority shall determine it? Clearly the authority of the State whose duty it is to deliver up the fugitive when the fact is determined. Until the issue which the Constitution itself creates is decided, the *person* is entitled to the protection of the laws of the State. When the issue is determined against the fugitive, then the constitutional compact arises above the laws and regulations of the State, and to the former the latter must yield.

To my mind this seems very clear and simple. The whole proceeding is clearly a judicial one, and I will not stop here to demonstrate what, from the preceding remarks, appears so obvious. The law of 1850, by providing for a trial of the constitutional issue between the *parties* designated thereby, by officers not recognised by any Constitution, State or National, is unconstitutional and void.

It has been already said, that, until the claim of the owner be interposed, the fugitive in this State is, to all intents and purposes, a free man.

The interposition of the claim, by legal process, is the commencement of a suit. "A suit is the prosecution of some claim, demand or request." [6 Wheat., 407.] The trial of such claim is the trial of a suit. Therefore the trial thereof must not only be had before a judicial tribunal, but whether proceedings be commenced by the fugitive to resist the claim of the claimant, or by the claimant to enforce and establish it, it would seem that either party would be entitled to a jury. It is no answer to this position to say that neither the States nor the General Government have provided the means for such a mode of trial. The constitutional right of the party remains the same. The late organization of our County Courts failed to provide a trial by a Constitutional Jury, yet the Supreme Court held that the parties were nevertheless entitled to demand it. If provision is not made for such a trial, it is the duty of the proper authority to make it. Nor is it any answer to this position to say that the proceeding to reclaim and repossess a fugitive from service is not a "suit at common law." This question is already settled. It has been judicially determined that the term "common law" was used in the Constitution in contradistinction to suits in Admiralty or equity. Were it otherwise, Congress need only to change the common law form of procedure to nullify the right of trial by Jury in all cases. *See Story Com.* 645, *et seq.*; 3 *Pet.* 446.

Mr. Justice Story says:

"In a just sense, the amendment may well be construed to embrace all suits which are not of equity or admiralty jurisdiction, whatever may be the peculiar form which they may assume, to settle legal rights."

We have already seen that the legal right of the claim must be settled before a fugitive from labour can be delivered up. We have already seen that a *suit* is held to be "the prosecution of some claim, demand or request." The conclusion seems to be irresistible, therefore, that the prosecution of the claim to a fugitive from labour, or resistance to such claim by legal proceedings on the part of the fugitive, is a *suit*, not in equity or admiralty, and hence at common law, within the purview of the Constitution. Of course, I do not pretend to say that such a proceeding is technically a suit at common law; nor is a proceeding by foreign attachment, and many other proceedings which are held to be embraced by the jury provision of the Constitution. Authorities might be multiplied on this subject, were it necessary.

Again, it is said that the Constitution evidently contemplates a summary mode of proceeding in the case of a fugitive from labour. Where is the evidence of it? Nothing of the kind is found in the history of the provision, nor in its pathway to the Constitution. Nothing of the kind is apparent from the language used; for it distinctly imports a trial of the claim, and a determination of the fact that labour or service is due to the claimant before a delivery can be made. When the evidence of such an intention is furnished, there will be time enough to trample down all the forms of law, and set at naught every settled rule of construction. But admit the fact. A provision may be made for obtaining a jury in a summary manner, as is sometimes done for the trial of the right of property, seized by attachment. But I can pursue this subject no further.

Again, the Constitution provides that no person shall be deprived of life, liberty or property, without *due process of law*. This last phrase has a distinct technical meaning, viz.: regular judicial proceedings, according to the course of the common law, or by a regular suit, commenced and prosecuted according to the forms of law. An essential requisite is due process to bring the party into Court. It is in accordance with the first principles of natural law. Every person is entitled to his "day in court," to be legally notified of the proceedings taken against him, and duly summoned to defend. The passing of judgment upon any person without his "day in court," without due process or its equivalent, is contrary to the law of nature, and of the civilized world, and, without the express guaranty of the Constitution, it would be implied as a fundamental condition of all civil government. But the 10th section of the act of 1850 expressly nullifies this provision of the Constitution. It provides that the claimant may go before any Court of Record, or judge in vacation, and without process make proof of the escape and the owing of service or labour, [illegible] record is made of the matters proved, and a general description of the person alleged to have escaped; a transcript of such record made out and attested by the clerk, with the seal of the Court, being exhibited to the judge or commissioner, must be taken and held to be conclusive evidence of the fact of escape, and that service or labour is due to the party mentioned in the record, and *may* be held sufficient evidence of the identity of the person escaping.

Here is a palpable violation of the Constitution. Can that be said to be by due *process* of law, which is without process altogether? Here the *status* or condition of the person is instantly changed, in his absence, without process, without notice, without opportunity to meet or examine the witnesses against him, or rebut their testimony. A record is made which is conclusive against him, "in any State or Territory in which he may be found." It is not a process to bring the person before the Court in which the record is made up, but it is, to all intents and purposes, a judgment of the Court or Judge, which commits the person absolutely to the control and possession of the claimant, to be taken whithersoever he pleases, to be dragged from a State where the legal presumption is in favour of his freedom, to any State or Territory where the legal presumption is against his freedom.

Is not this depriving a person of liberty without due process of law? Other Courts and other Judges may pronounce this provision of the act of 1850 to be in conformity with that provision of the Constitution which declares that "no person shall be deprived of life, liberty or property, without due process of law," but while I have a mind to reason and a conscience to dictate me, and an oath to support the Constitution of the United States resting upon my soul, I cannot so declare it, and for the price of worlds I will not.

Upon this branch of that act I am not aware that there has been any adjudication. Certainly there has been none that can be claimed as an authority here. The same may be said in regard to the trial by jury. There are other points equally fatal to this act when tested by the Constitution, but I have not time nor inclination now to discuss them.

I ought not to dismiss the consideration of this question without particularly adverting to the case of *Prigg vs. The Commonwealth of Pennsylvania*, 16 *Peter's Rep.* 540. The opinions in the other cases cited are so conflicting, casual or incidental as to be of no force; and of the case of *Prigg vs. Penn.*, it may be justly remarked that the discrepancy of opinion among the members of the Court was so wide and fundamental as greatly to impair the authority of that decision. It affirms the constitutionality of the act of 1793 upon contemporaneous exposition in one respect and expressly defies the same rule in another, for it pronounces the act constitutional in part, and unconstitutional in another part. Whatever of authority may attach to it in consequence of the character and eminence of the men who passed it, and of him who signed it, is effectually counteracted by the decision of the Court that in one part of it at least the Constitution was violated. Cotemporaneous construction confers the power of legislation and execution upon the States as well as Congress; for long before Congress assumed to act upon the subject, the State Legislatures had passed laws in fidelity to the compact, in most of which some of the framers of the Constitution had seats, and all of the slave States, and all or nearly all the free States, continued to exercise the power up to a very recent period.

Cotemporaneous history, cotemporaneous exposition, early and long-continued acquiescence, all go to show the interpretation given to this provision of the Constitution by the States and the people. The slave States passed acts to execute the compact. The free States did the same. The action of the several States, or many of them, shows conclusively that they interpreted the provision as a compact merely addressed to the good faith of the States. The slave States appealed to the free States for legislative action to carry into effect this provision of the Federal Constitution, and demanded of the latter the stern exercise of a power which it is now sought to wrest from them. In 1826, the State of Maryland appointed Commissioners to attend upon the session of the Legislature of Pennsylvania, and induce the latter to pass an act to facilitate the reclamation of fugitive slaves. Their mission was successful. Pennsylvania yielded to the solicitations of Maryland's Commissioners, and passed the act of 1826, which was afterward declared void by the Supreme Court of the United States in Prigg vs. Pennsylvania. In 1836 or 1837, similar Commissioners were appointed by the State of Kentucky to the State of Ohio, whose mission resulted in the passage of a most stringent fugitive act by the Legislature of Ohio. So also, about the same time, in regard to Indiana, and I believe Illinois. Up to 1837, the States esteemed it their duty, and slave States demanded its performance, to provide by law for the execution and faithful observance of this compact. All seemed to regard it as a compact and nothing else; binding, it is true, and operative as law equally upon all, but still a compact, and a compact only.

Again, it is respectfully suggested that the whole argument of Mr. Justice Story is based upon what is sometimes called the *petitio principii.* He assumes that the Constitution makes it the duty of the Federal Government to enforce the right of the owner secured by the compact, and then infers that it must necessarily have the power; and then, if Congress has it, the States cannot have it.

All admit that there is no express power in the Constitution to legislate upon this subject, but it is claimed to be necessarily implied, as incidental to the grant of judicial power. The reclamation of a fugitive is first decided to be a "case" arising under the Constitution of the United States, and hence within the judicial power. But this mode of implying powers can never be sustained. The judicial power is extended in several respects beyond the legislative power. The judicial power has jurisdiction in cases arising between the citizens of different States. A citizen of New York may sue a citizen of Wisconsin upon a promissory note, bill of exchange, covenants in a deed, in partition of real estate, or even in ejectment for the possession or title to lands. If a power of legislation may, therefore, be grafted by implication upon a judicial power, Congress may assume the whole power of legislation over these subjects in the respective States, and necessarily exclude State legislation, and accomplish, at a blow, the complete prostration and overthrow of the State sovereignty. Other illustrations might be given to illustrate the danger of engrafting a legislative power upon a judicial by implication. This was tried at an early day, and by the same course of reasoning common law jurisdiction was claimed for the Courts of the United States, and power of legislation over all common law subjects, claimed by implication in Congress. The Alien and Sedition laws were chiefly defended on these grounds.

Again, this case explicitly decides the claim of the owner to a fugitive slave to be a "case" within the meaning of the Constitution. Hence it is a suit not in admiralty or equity, and hence at common law within the meaning of the Constitution. It also decides the determination of the claim to a *judicial* proceeding, and bases the power of the Federal Government in the premises upon the grant of judicial power, and the power of legislation is assumed to be incidental to that. All these points, which are held to be *res adjudicata*, strike at the very vitality of the act of 1850, which attempts to confer such judicial power upon Commissioners. Time will not permit a further review of this case. In my judgment, the opinion of the Chief Justice completely overthrows that of the Court, and, so far as he attempts to argue his points, beyond doubt or controversy establishes the doctrine here contended for.

In view of the dissentient opinions of the members of the Supreme Bench; in view of the discrepancy of opinion which has characterized all other decisions wherein the question has been raised and argued; in view of the fugitive character of the power here claimed by Congress, leaping from article to article, from section to section, and from clause to clause, hovering now over a grant, then over a compact, fluttering now round an implication, then around an incident, to find whereon it may rest its foot; in view of the alarm which has seized upon many of the States in consequence of the enormous power which it has called upon Congress to assume in its behalf, and the deep wounds which it seeks to inflict upon the rights and sovereignty of the States and upon all this, are we not justified in asking of the Supreme Court of the United States to review their decision as the majority pronounced it in the case of Prigg vs. Commonwealth of Penn.?

On the contrary, Chief Justice Taney, in his dissenting opinion, though he admits the right of Congress to legislate, but does not argue it, thinks the compact peculiarly enjoins the duty upon the States.

If after all the principles of that decision shall be reaffirmed, there still remain the great questions of trial by jury, the unauthorized delegation of judicial power, the *ex parte* proceedings, without process, which change the *status* of the person whose liberty is attacked, and some others, untouched and undetermined.

We thus find ourselves without any authoritative judicial guide in relation to the act of 1850. The fundamental questions here raised have, some of them, been controverted for some years, and those which it was the design to settle in the case just quoted, remain yet as fruitful subjects of bitter discussion and discordant action; for it may be truthfully affirmed that that decision has never been deemed satisfactory, but has often been called in question on both sides of the controversy. Other questions here presented have not been settled judicially, but as yet every Court and judge is bound to consider and determine for itself, according to its best judgment.

What then is to be done? Let the free States return to their duty if they have departed from it, and be faithful to the compact in the true spirit in which it was conceived and adopted. Let the slave States be content with such an execution of the compact as the framers of it contemplated. Let the Federal Government return to the exercise of the just powers conferred by the Constitution, and few, very few, will be found to disturb the tranquillity of the nation or to oppose by word or deed the due execution of the laws! But until this is done, I solemnly believe, that there will be no peace for the States or the Nation, but that agitation, acrimony and hostility will mark our progress, even if we escape a more dreadful calamity, which I will not even mention.

However this may be, well knowing the cost, I feel a grateful consciousness of having discharged my duty, and full duty; of having been true to the sovereign rights of my State which has honoured me with its confidence, and to the Constitution of my country, which has blessed me with its protection; and though I may stand alone, I hope I may stand approved of my God, as I know I do of my conscience.

It becomes my duty, therefore, to make the following order:

In the matter of the Petition of Sherman M. Booth for a Writ of Habeas Corpus, and to be discharged from Imprisonment.

This matter having been heard upon the petition, and return to the writ issued herein, and the return of the respondent Stephen V. R. Ableman thereto, and having been argued by counsel; and there appearing no sufficient cause or warrant for the detention of the said Sherman M. Booth, and no sufficient reason being shown why he should be restrained of his liberty by reason of the premises, or of anything contained in the return to the said writ of Habeas Corpus, or for any other cause; it is therefore hereby ordered, that the said Sherman M. Booth be, and he is discharged from the said imprisonment whereof he has complained, and that he go hence, and at large, without day.

A. D. SMITH, Associate Justice of the Supreme Court of the State of Wisconsin.

SAUNDERS ON SLAVERY.—The esteemed Consul Saunders, albeit decapitated by the Senate, still lives, if he does not learn. From his London Consulate, he has written a letter to Kossuth, in which he demonstrates to a hair, that European liberals ought not to care a copper for black men in America. George says, that the question of slavery in America is, if we may say so, tremendously delicate; and he shows that the fate of the finest races in the world ought not to be jeoparдized for the sake of three millions, or some such handful, of Ethiopians. He shows Mr. Kossuth, that this is a matter which we must manage for ourselves; and that slavery is something which nobody can understand—when the slave is black —except a full blooded Yankee. This is precisely the language which George's old enemies—the Kings and Kaisars of Europe—are wont to employ, when such political missionaries as George

and his friends get too rampant. "These are delicate questions" would the Emperor of Russia say to George; "we can manage these matters better if left to ourselves." We notice that the headless Consul addresses Kossuth as one of the "Jeffersonian Republicans of Europe." We should like to know what the Sage of Monticello is doing in such company? Why should that great American name be used to forward European revolutions, when neither Kossuth nor Mazzini are permitted to shed a tear for the serfs of Columbian rice swamps, or the desperate diggers of tobacco fields?—*New Bedford Mercury.*

National Anti-Slavery Standard.

WITHOUT CONCEALMENT—WITHOUT COMPROMISE.

NEW YORK, SATURDAY, JULY 22, 1854.

A WORD WITH OUR FRIENDS.

When we informed our readers of the arrangement whereby the Pennsylvania Freeman was about to be discontinued and its readers supplied thenceforth with the National Anti-Slavery Standard, we hinted that certain improvements were in contemplation, which would make this journal more acceptable both to its old and its new recipients, and better worthy of the new position it was about to assume. The improvements thus foreshadowed, so far as they had respect to the outward appearance of the paper, will be seen in the enlarged page and beautiful typography of the present issue, and also in the whiteness of the sheet on which it is printed. Our columns are somewhat narrower than before, but their number and length are so much increased as materially to augment the size of the page. A diminution of margin contributes, we think, to the symmetry of the sheet, while the clearness of impression attained by new type and an improved quality of paper will be grateful to the eye as well as to the taste of the reader.

But it was not in mechanical appearance alone that the Standard was to be improved. Typography, which is to a public journal what dress is to the man, is of more importance than many sensible people suspect; but as it is of more consequence that a man should be manly, noble and wise, than that he should be clothed in comfortable and becoming apparel, so is it of far higher importance that a newspaper should command the respect and confidence of its readers by the nobleness of its spirit and purpose and the intellectual and moral power exhibited in its columns, than that it should be never so elegantly printed. We esteem it one of the most cheering evidences of the moral and intellectual progress of the people that the standard of excellence in respect to newspapers is much higher in this country now than it was ten years ago. Formerly, a single individual of moderate abilities was deemed fully competent to discharge all the functions of an editor of a weekly journal. *Now,* such a journal, if it would succeed in arresting and fixing the public attention, must be the work of many able minds and diligent hands. It must treat the questions which come within its range with a moral vigour and a logical force that shall carry conviction to the understanding and move the heart to action. It cannot be the echo of other men's opinions; it must have a vitality and an energy all its own. It must be many-sided and argus-eyed, and know when to speak and when to be silent; whom to praise and whom to rebuke. Especially is all this true of a journal which attempts to form and guide public opinion upon a great question like that of Slavery, which underlies the foundations of parties, is interwoven with all the arrangements of sects, and mixes itself inevitably with all the affairs of the nation.

Perhaps it may be no breach of modesty in us to assume that the Standard has occupied, hitherto, a highly respectable rank among its contemporaries; but, however good it may have been in the past, and however highly esteemed it may be at this moment by its friends, we mean that it [illegible] to come. The arrangements by which this result is to be secured are not yet perfected. It must suffice for the present to say that, besides the editorial force now employed, we expect to have the aid of some of the best writers in the country. We do not mention names. After mature reflection, it has been deemed best that the paper should be hereafter, like most English and the best American daily journals, *impersonal.* The names of the editors even no longer appear in the imprint. We are convinced, both from observation and experience, that the moral power of a newspaper is, on the whole, diminished rather than increased by the practice of appending to each article the name or the initials of the author. In many cases the system operates injuriously upon the writer's freedom, and if in some instances it adds to the intrinsic force of an argument or an appeal, we believe it oftener detracts therefrom. It is essential to the highest grade of power in a public journal that it should have an individuality of its own, distinct from the personal relations and responsibilities of its editors and writers. Thus organized, it will be at liberty to avail itself, at any time, of the best talent it can procure. Instead of announcing the names of two or three persons and binding itself to publish what they may write without revision, it will have the power, at any moment, of employing such aid as a public exigency may require. This system also will have an advantage over the other in that it will be likely to secure a greater variety of style and a broader treatment of the questions which, from time to time, demand discussion. Every article, by whomsoever written, will go forth with all its own intrinsic power, to which will be superadded the influence which the journal itself may have acquired through the combined wisdom and talent of all its contributors.

We repeat, however, that our arrangements for increasing the editorial power of the Standard are yet incomplete; but we expect that, ere long, our readers will be able to see for themselves the evidence that our promises have been fulfilled. One fruit of the new arrangement is already seen in the regular aid afforded by an able and intelligent Correspondent in Philadelphia; others will appear in due time.

In conclusion, we ask every friend of the American Anti-Slavery Society to make a special effort to extend the circulation of the Standard. We appeal to our new readers in Pennsylvania to do what in them lies to give the fullest possible effect to the new arrangement by which this paper has become, in a peculiar sense, their own. We promise to do everything in our power, that may be consistent with the general objects of the paper and with the just claims of others, to adapt it to their particular circumstances and wants, and to make it subserve all the ends that they could have hoped to accomplish by the continuance of the Freeman. If our readers in every part of the country will improve the favourable opportunity now presented for obtaining new subscribers, they can easily double our present circulation. Will they not do it?

Charles C. Burleigh has received and accepted an invitation to deliver the address before the Literary Societies of Oberlin College at the next Commencement, to be held sometime in August. The world must be moving when orthodox Oberlin seeks instruction at the mouth of a Disunion Abolitionist, and one, too, in every respect as heretical, according to her standard, as Garrison himself.

JUDGE SMITH'S OPINION.

On the first page will be found the Opinion of the Hon. A. D. Smith, one of the Judges of the Supreme Court of Wisconsin, wherein the Fugitive Slave act is pronounced unconstitutional and void. Legal documents of the length of this are generally considered dull reading, especially in hot weather; but many readers of the *Standard* will examine with avidity a Decision which is destined, we trust, to form a precedent for other tribunals, and which may be the first step in a Judicial Revolution that will result in restoring to the Free States the rights which the aggressive power of Slavery, operating through the Federal Government, has so rapidly swept away. Men eminent in the legal profession have declared the act of 1850 for the rendition of fugitives to be unconstitutional, but to Judge Smith belongs the honour of first pronouncing that judgment from the bench. His opinion is not to be taken as that of an Abolitionist, or even a Whig, for it happens that he is a member of the Democratic party. He has dared to face the frowns of the Administration—to be true to himself and to the cause of liberty under temptations which have overmastered other men. The *Tribune* publishes the Opinion and speaks of it in these terms:

"It has the bone and muscle, with the strong spirit, in which the youthful State exults. As a composition it is excellent, especially when compared with the dead level of judicial opinions, while it is often lifted by its animating principles into a region of true eloquence. Its manly vigour compares fitly with that of Lord Holt, when he declared laws contrary to reason to be void, and refused to be bullied by the House of Commons. And we doubt if, in the annals of the English or American bench, there be a judgment which, for its subject and matter, may be more truly commended. The judgment of Lord Nottingham in the Duke of Norfolk's case is much admired by the technical lawyer; there are many opinions of Lord Mansfield and Sir Wm. Scott which constitute important contributions to jurisprudence; while in our own country we have the judicial labours of Marshall, Kent and Story, worthy all of honourable fame; but no single judgment in the long list, English and American, has the combination of qualities which occur in this. It will be found in to-day's paper, and should be read by all, especially by any man who yet gives credence to the alleged constitutionality of the Fugitive Act.

"This promises to be a memorable judgment, leading the way to better things. Other courts and judges will take up the same exalted strain of Justice. The pusillanimous example set by the Supreme Court of Massachusetts will be discarded, while just guards to protect the liberty of the citizen will be boldly asserted. The landmark which Wisconsin has now erected will be cherished forever, sacred as the Constitution and the Common Law. It rarely happens to a person in judicial life, while dispensing justice, to associate his name with a historic act. This, however, has been done in this case. A citizen has been set at liberty, and at the same time a blow has been struck at a revolting statute, under which it will yet tumble to the ground."

Judge Smith's Opinion is now under review before a full Bench. We trust it may be affirmed. Meanwhile, the United States District Court is doing what it can to punish the rescuers of Glover and to overrule the State Judiciary. Judge Miller, who presides in that Court, charged the Grand Jury not only that the Fugitive Slave act is constitutional, but to the effect that Judge Smith is liable to be indicted as a criminal for "resisting" the law of the United States in freeing Booth on *habeas corpus.* He even intimates that the United States Marshals and their assistants may lawfully kill the State officers if they attempt to execute the process of the State Courts! The Charge is ably and indignantly reviewed by J. T. Mills, Esq., in the Milwaukee *Free Democrat.* Judge Miller evidently belongs to the school of Grier, Hallett and Curtis. Under his instructions we notice that true bills have been found against Sherman M. Booth, John A. Messinger and John Rycraft for alleged participation in the rescue of Glover.

GERRIT SMITH ON SECESSION AND ANNEXATION.

Some of the public journals have commented with no little severity upon one portion of a speech made on the 27th ult., by Gerrit Smith, upon the Gadsden Treaty, wherein he spoke of the annexation of Cuba as a desirable event, even though slavery should not be previously abolished. That our readers may see exactly what Mr. Smith said, we copy the passage alluded to, with enough of the context to explain the meaning. We must express both our surprise and regret that Mr. Smith avowed himself willing, under any circumstances, to admit Cuba into the Union as a slaveholding State. He knows, of course, that such an augmentation of the power of Slavery in the national government would delight the heart of every slave-trader in the land and tend to embarrass the friends of freedom in the North. That he can contemplate the possibility of such an event without serious alarm is strange indeed. We must say that we think that part of his speech was "not fit to be made" by him.

"If this nation is to prosper, it must be by adhering to the great and precious principles avowed at its birth. One of these principles is, that every people may choose its own form of government, and vary it, as it pleases. We choose ours; and we write "hypocrite," with our own finger, upon our own foreheads, if we deny to the Haytians or Cubans, or any other people, the liberty to choose theirs. If Cuba proposes to remain a part of Spain, or to become a part of France, or England, we cannot condemn the proposition, but at the expense of condemning our own deliberately adopted and solemnly uttered principles.

"It is not for this nation to deny the right of one people to blend themselves with another people; nor the right of any people to break up their existing national relations. In other words, it is not for this nation to deny the right either of annexation or secession. I claim the right of the British provinces, north of us, to annex themselves to our nation, if we are willing to receive them; and that, too, whether England does or does not consent to it. I claim the right of those provinces and New England to form a nation by themselves; and that, too, whether with or without the approbation of the English and American Governments. I hold that the Northern States have the right to go off into a nation by themselves; and the Western States, and the Southern States. If they will go, let them go; and we, though loving the Union, and every part of it, and willing to lose no part of it, will let them go in peace, and will follow them with our blessing, and with our warm prayer, that they may return to us; and with our firm belief that they will return to us, after they shall have spent a few miserable years, or perhaps no more than a few miserable months, in their miserable experiment of separating themselves from their brethren. Of course, I cannot forget that many, alas! that they are so many! would prefer following the seceders with curses and guns. Oh, how slow are men to emerge from the brutehood into which their passions and their false education have sunk them! I say brutehood; for rage and violence and war belong to it, while love and gentleness and peace are the adornments of true manhood.

"I trust, that I shall not be regarded as holding that a single State in our Union may set up for itself. It may not any more than a single county. Such an *imperium in imperio* would be too full of inconvenience and objection to entitle itself to the approbation of any reasonable man. My doctrine of annexation and secession is not to be stretched over every folly, that may lay claim to countenance from the doctrine.

"I spoke of the right of the British Provinces to annex themselves to our nation. I hope that, in due time, the right will be exercised; and that England will feel that she cannot justly resist the exercise of it. But I hope for more than such annexation. I hope for the annexation to us of every other part of North America. To bring the various peoples of North America into a nation with ourselves, would be to bring them under a rapid process of enlightenment, civilization, and homogeneousness with each other and with us. I trust that we shall be a better people, by that day. But bad, as we now are, even in that case, few of our neighbours would become worse, and most of them would become better, by becoming like us. Were all North America to become one nation, it might not long remain such. But the various nations, into which it would divide, would be more intelligent, useful, and happy, than if they had never constituted one nation.

"Let Cuba come to us, if she wishes to come. She belongs to us, by force of her geographical position. Let her come, even if she shall not previously abolish her slavery. I am willing to risk the subjection of her slavery to a common fate with our own. Slavery must be a short-lived thing in this land. Under our laws, rightly interpreted, and under the various mighty influences at work for liberty in this land, slavery is to come to a speedy termination. God grant that it may be a peaceful one!

"I would not force Cuba into our nation, nor pay $250,000,000 for her, nor $200,000,000—no, nor even $100,000,000. But when she wishes to come, I would have her come; and that I may be more clearly understood on this point, I add, that I would not have her wait always for the consent of the Spanish Government. Now, if this be *filibusterism,* then all I have to say is "make the most of it!" [Great laughter.]

THE NORTHUP KIDNAPPERS.

We announced last week the arrest of Alexander Merrill and Joseph Russell, charged with inveigling Solomon Northup, a free coloured citizen of this State, from Saratoga to Washington and selling him into slavery. The prisoners were examined before Abel Meeker and David W. Maxwell, Esqrs., Justices of the Peace, at Saratoga, on the 11th inst. W. T. Odell, District Attorney, and Henry B. Northup and George G. Scott appeared for the prosecution; William Wait for Merrill, and John Brotherson for Russell. The report of the evidence adduced by the prosecution, as we find it in the Saratoga *Whig,* occupies more room than we can well spare; we shall therefore give the substance thereof as briefly as possible.

Solomon Northup was, of course, the first witness. He related the circumstances under which he was enticed from Saratoga to Washington in the Spring of 1841, of his being stupefied with liquor supposed to have been drugged, and afterwards finding himself in Williams's slave pen, whence he was taken by a scoundrel named Birch and sold as a slave for life. He fully identified the prisoners as the men whose carriage he drove from Saratoga to Baltimore, and who afterwards took him to Gadsby's hotel in Washington, where they asked him to drink the potion that stupefied him.

Thaddeus St. John, of Fonda, Montgomery Co., testified that he had known the prisoners from infancy; that he met them in Washington in the Spring of 1841, and saw Solomon Northup with them at Gadsby's; that he met them a few days afterwards on board the ferry-boat at Havre de Grace, when he noticed that their appearance had been entirely changed by cutting off their hair and whiskers, and that they were elegantly and flashily dressed, one of them having an ivory cane, gold watch chain, &c. He expressed surprise at meeting them there, and said to Russell, "Jo, you have made a victim somewhere"; told him he had sold the negro or something worse; should watch the papers and see if anybody had been robbed or murdered; if so, should know who did it; Russell laughed and walked away; remarked to Merrill that they had changed their appearance for some object; when they got across the river they entered the cars; Russell sat in seat by his side, and Merrill behind him; commenced conversation with Russell by asking what he should tell his venerable and pious old father; Russell said, "tell him I am the best looking son he has got by a d—d sight"; Russell then threw off his cloak and exhibited a splendid gold watch; then put his hand into his pantaloons and drew out a handful of gold; when asked where he got so much, made motions as though he had been gambling; told him if it was gambling money it must belong to Aleck, as he was not smart enough to win money from southern gamblers; he opened the case of the watch and showed him three bank bills, one of which was of denomination of $1,000, apparently; told him again he was carrying Aleck's money; Merrill sat by listening. Nothing else occurred that he remembers until they met on the steamboat from New York to Albany; it was a very stormy night and they kept company with him; said they were going west; witness afterwards moved to Fonda, and about four years ago Russell moved there and commenced butchering, with a shop for selling his meat near witnesses's residence; often joked Russell about his southern trip; when he exhibited the money witness wrote $3,000, put negro at $500, and Merrill told him to add $150; to that Russell said, "That is more money than you often see a Sacandaga boy have."

Norman Prindle testified that he saw Solomon drive off a carriage containing the prisoners from Saratoga in March, 1841; and that he advised him not to go with them and told him they would not know him when they got away South, &c. There was some other testimony that went to corroborate the above, but it was not important.

The counsel for Merrill waived calling any witnesses in his behalf or having him examined.

Counsel for Russell also waived an examination, but claimed his discharge on account of the statute of limitations requiring an indictment to be found within three years of the commission of the offence.

District-Attorney Odell contended that the power of the magistrates was only to say whether any offence had probably been committed, and then they must send their evidence to the proper tribunal for indictment and trial. He also contended that the offence was committed during all the time he was held in slavery and until he was finally released, and the statute of limitations would run only from January, 1853, when Solomon was set free in Louisianna. The law provided that if a man was stabbed and death did not ensue until 364 days after the stabbing, it might be murder, as the law provided it might be murder if death ensued in a year and a day.

The magistrates decided to hold the prisoners, and they were accordingly committed to jail, it not being within the power of a Justice of the Peace to fix bail for an offence of that magnitude.

The prisoners were afterwards taken in a civil suit and held to bail in the sum of $5,000 each to answer Solomon Northup for his personal damages in being sold into slavery.

The punishment for kidnapping and selling into slavery is imprisonment in the State Prison not less than two nor more ten years.

Slavery in Delaware.—The Dover (Del.) *Reporter*—a Democratic (!) paper, if we are not mistaken—is alarmed at the progress of "Free Soilism and Abolitionism" in that State. The heresy is nourished by one of the Whig papers of Wilmington, advocated by the temperance organ in the same city, and fostered and preached by certain religious societies, and it avows its fear that, unless some counter action be interposed, Delaware will, in a few years, no longer be classed as a Southern State, but her whole institutions will be corrupted by the demoralizing influence of what it calls "free niggerism." To prevent this calamity it urges the necessity of forming the country lying between the Delaware and Chesapeake Bays into a separate State. Upon this proposition the Wilmington *Republican* comments as follows:

"We are astonished that the editor of the *Reporter* wishes to prevent a result which the free labour and industry and thrift that are now prevailing in our State will inevitably bring about, if they are not checked by legislative enactments. They have nearly driven slavery out of this country, they are driving it out of Kent, and will eventually drive it out of Sussex. Some men may deplore such a result, but they cannot help it. They must submit to a fate which Providence is working out. The "free niggerism" will be no worse than it is now, and perhaps not half so bad, as the demand for labour will be greater, and in case of the enactment of a prohibitory law there will not be the same influence to corrupt and demoralize them. Neither need the editor give himself any trouble about the slaves in Virginia and Maryland. The northwestern portion of the former State, and the northern portion of the latter, will soon be given up to free labour, and the creation of a peninsula State cannot prevent the fulfilment of the decree which has gone forth in regard to them. Years may first elapse, but the hardy sons of New England and the Middle States will eventually fill up the country, and occupy the land, when the "peculiar institution" will be thrown aside, as unprofitable and useless. This will be the result in all grain growing districts. Indeed, slavery in our State only exists in the most mild form, and it is really not worth quarrelling about. There are few hard task masters, and few find that their blacks make more than they consume. We know of no one who is accumulating any great fortune solely by slave labour, while there are hundreds doing so by the employment of freemen."

SENATOR CHASE TO KOSSUTH.

The following letter to Kossuth from one whose friendship he cannot doubt conveys a rebuke, gentle indeed in its terms, but full of significance. It will be felt.

Senate Chamber, Washington, June 26, 1854.

Dear Sir: I have received, at the instance of Mr. Sanders, I presume, some copies of a letter which he addressed to you and others, as representatives of Republicanism in Europe, and your reply, dated the 3d of this month.

As an American, devoted to the democratic principle, and warmly attached to the great cause of universal liberty, I feel compelled to express to you my regret that Mr. Sanders has attempted to place you, as well as other eminent defenders of popular rights, in an attitude of indifference toward the grave and important struggle now going on in this country between Liberty and Slavery.

The partisans of despotism are of the same stamp throughout the world. He who defends Slavery in America cannot be the true friend of Liberty in Europe. His shout for liberty is the shout of hypocrisy which seeks either license or privilege.

Is Mr. Sanders ignorant that his relations with the party of liberty in the Old World have exposed him to the distrust of the defenders of slavery in the New? It might be supposed that recent events would have suggested this idea to him.

Rely upon it, Sir, that if America could ever stand forth before the world as that magnanimous power which you have called upon her to become, she could only do so when slavery had ceased to control the action of the National Legislature, and the spirit of justice, and of wise, ardent, courageous and impartial liberty had been inaugurated as the vital principle of her national administration. I am, Sir, with sentiments of the highest respect, S. P. Chase.

Saunders, it will be remembered, endeavoured to break the force of Mazzini's letter to the North of England League by the assumption that it was an *old* one, having no relation to present issues in the United States. This assumption turns out to have been entirely gratuitous, as the letter, when first published, bore date the 31st of May last.

NOTICES OF THE PRESS.

The arrangement by which the Standard was substituted for the *Pennsylvania Freeman* has been a subject of comment in some of the journals of Philadelphia. The *Register* commends it quite warmly, thus:

"We miss from our table, this week, the *Pennsylvania Freeman,* the former organ of the Abolitionists of this State. By a judicious business arrangement, it has been united with the *Standard,* the National organ of the same party. This paper is issued *simultaneously* in New York and in this city, at the Anti-Slavery Office, on Fifth above Arch. We observe that it has a special department for Pennsylvania affairs, and an able Philadelphia correspondent. Thus all the efficiency of the late State organ is preserved, while the heavy expense and trouble of sustaining a local paper is avoided. One widely circulated and ably edited paper is certainly better than two or three weak ones, numbers, in such a case, being an element of weakness and not of strength. With the *Standard,* we have not the good fortune always to agree, but it represents with rare ability the opinions of which it is the organ."

The *Ledger* notices the change as follows:

"The *Pennsylvania Freeman,* the Abolition paper of this city, has been united with the *National Anti-Slavery Standard,* of New York, and the latter is now to be the organ not only of the American but the Pennsylvania Anti-Slavery Society, and is to be issued from New York and Pennsylvania simultaneously. It is to have, in addition to its usual editorial force, a "corresponding editor" in this city. The paper is conducted with decided ability, and to those who do not object to its ultraism will be quite acceptable."

The *Sun* has this notice:

"The Pennsylvania Anti-Slavery Society seems to have come to the conclusion that their cause has progressed sufficiently to justify them in dispensing with the maintenance of a special newspaper organ; so they have discontinued the *Pennsylvania Freeman,* and are now supplying their subscribers with the *National Anti-Slavery Standard* in its stead. The *Standard* is issued in New York and Philadelphia on the same day; it has a corresponding editor in this city, and it is said, can be made to accomplish all the purposes of the discontinued *Freeman* and some others besides. If this be so, the move of the Anti-Slavery Society was a good one; if one paper can be made to serve the purpose of two, why be at the expense and trouble of supporting two? The *Standard* is an exponent of Abolitionism in its most radical form, edited by Quincy, Gay and Oliver Johnson, and its columns reflect the sentiments of Garrison, Wendell Phillips, and other leaders of that ultra school. Those of our citizens who hold to, or sympathize with, the sentiments of this school—in which number we are not included—will find the paper one very much to their minds, for it is edited with an ability that puts it above the common run of papers, and with a boldness and fearlessness of consequences that is characteristic."

We regard such notices as these as an indication of an improved state of public feeling in Philadelphia. Those who feared that the new arrangement would be regarded by the public as a step backwards will be glad to see that the papers above quoted take a very different view of the matter.

It was not to be expected that so good a paper as the *Freeman* could be discontinued without exciting a feeling of regret among those of its contemporaries who have appreciated its many valuable qualities. It is due as well to our own feelings as to those of its former readers that we should copy the following notices:

"The *Pennsylvania Freeman* has been merged into the *Anti-Slavery Standard,* and its publication discontinued. We are sorry to part company with the *Freeman.* It has been an ably and, generally, fairly conducted paper. Differing from it both in its polities and its theology, we yet recognise it as an efficient anti-slavery instrumentality. It is expected that the *Standard* will be improved by the union."—*Free Presbyterian.*

"The *Pennsylvania Freeman* has become incorporated with the *Anti-Slavery Standard* of New York. The *Standard* will hereafter be issued simultaneously at Philadelphia and New York. The editor of the *Freeman* thinks the union will be highly beneficial. It may prove to be so, but to us it looks too much like a failure to be very satisfactory. Philadelphia needs just such a paper as the *Freeman* has been in its midst, and we are sorry the change has been made. Pecuniary considerations seem to have prompted the alteration, but time will show whether such a change will be productive of good.

"We have always read the *Freeman* with interest, and regard it as one of the best-looking as well as ablest-conducted anti-slavery journals."—*Wesleyan.*

[The *Wesleyan,* we suspect, would be better pleased with the arrangement if it liked the *Standard* a little better.—Eds.]

"The *Pennsylvania Freeman* has been merged in the *Anti-Slavery Standard.* It is with deep regret that we part with the *Freeman.* It has ever been clear-sighted, prompt, bold and faithful. It has done its work effectually, and has truly represented the company of true-hearted Abolitionists in Eastern Pennsylvania who have sustained it. The Pennsylvania Society has been one of the most effective anti-slavery instrumentalities in the country. And to this efficiency the *Freeman* has been an indispensable contributor. We earnestly hope that the present arrangement may result in all the advantages which its friends confidently anticipate for it. The *Standard* gives evidence every week that there is combined upon it a great amount of labour and talent, and yet further improvements are contemplated in in its mechanical appearance and its editorial department, so that we doubt not it will be one of the first, in neatness, ability, and adaptation to its allotted work."—*Anti-Slavery Bugle.*

"The *Anti-Slavery Standard* and *Pennsylvania Freeman* are henceforth to be literally *one,* as they have hitherto been one spiritually; and thus united, the promise is that the *National Standard*—which name is to be retained—will be a paper of a very high order, both as to its spirit and its ability. We have heard that two or three distinguished writers are to be added to its present superior editorial corps, and we are looking anxiously for the forthcoming number, which will be to us a specimen of the sheet with which we are hereafter to be weekly visited. When it shall reach us, we shall take pleasure in noticing it, and in publishing its Prospectus.

"Meanwhile, we part with our old friend, the *Freeman,* with reluctance; for it has been pre-eminently worthy of its name, and of the enterprise to which it has been devoted; and its death, or, rather, its translation, is as honourable to it as its life has been. It has nobly offered itself a sacrifice to the common cause of Universal Freedom; and we shall hope to hear often from its excellent editors, and many of its correspondents, in the columns of the *Standard.* It has done its work faithfully and will always be remembered with much satisfaction, and with gratitude, by all the early friends of the slave. Farewell to that—success to the *Standard.*"—w. h. f.—*Practical Christian.*

LETTER FROM ENGLAND.

Messrs. Editors: I send you some extracts from a letter recently received from Rev. S. A. Steinthal, of Bridgewater, England. As you will observe, he had become acquainted and much pleased with our faithful friend, Parker Pillsbury. Mr. Steinthal is an active and uncompromising friend of human freedom, and takes a deep interest in the Anti-Slavery movement in this country. s. m.

"I have to return you my most sincere thanks for the very valuable parcels which I have received from you. At our regular meeting, last evening, I distributed a goodly number of the papers and pamphlets, and hope that much good may be done by them. The report of your Decade Meeting is highly interesting, and some of the speeches I cordially sympathize with. But Joseph Barker and George Sunter should know better than to compare the state of even the lowest class of the English poor with that of American slaves. I cannot understand how they are so blinded to the difference in principle, which must exist in the most despotic State, when compared with the property claimed in men by the Americans. My principles lead me to sympathize with the most radical movements in Europe. I have no love for our Emperors and Kings, and have been in connection with the so-called friends of Revolution in Europe. I have no wish to extenuate the wrongs which the people have suffered; but it is an outrage upon common sense to compare the condition of an American negro slave to that even of a Russian serf. * * I hear that Joseph Barker is coming here on a visit. I should be glad to see him again, notwithstanding our differences; for his honourable conduct on the Slavery question shows that his heart is sound.

"I have been greatly pleased with Parker Pillsbury, who spent a few days here with us. My expectations were not disappointed; I only long for the opportunity of seeing more of him, on his return from Paris.

"I trust you will soon hear of aid in the Anti-Slavery movement from an unexpected quarter. A friend of mine—an Hungarian exile—has heard so much of anti-slavery feeling and fact, that he has determined to try whether something cannot be done for your cause in his own land. * * Liberty and human rights cannot be advocated anywhere, or in any shape, without reacting towards the destruction of oppression and tyranny everywhere. * *

"On the whole, the last year has been a useful one. There has always been a latent anti-slavery feeling with us, but it is now becoming more definite. People are beginning to understand that all compromise with evil is advantageous to the evil only, and are more and more ready to go the full length of the principles so consistently and honourably advocated by your Society in the States. In time I trust we shall be enabled to concentrate public feeling here upon your movement, and then I hope you will be greatly helped by English Abolitionists, and will not have to rely, so much as now, upon isolated friends. The *Advocate* is our great means of usefulness. This and the Leeds Tracts we find of the greatest use all over the country. Here in Bridgewater, I continually hear praises, in addition to these agencies, of the *Standard* and *Pennsylvania Freeman,* which we keep in continual circulation."

REV. SAMUEL J. MAY.

Syracuse, July 8, 1854.

To the Editor of the Anti-Slavery Standard.

Sir: In perusing the columns of your most interesting paper, and observing the notices of many stirring discourses delivered since the passage of the Nebraska Iniquity and the Burns tragedy, it may not be uninteresting to you to be informed somewhat of the labours of Rev. S. J. May, of Syracuse; especially as he has not made himself heard upon these subjects through the public prints.

But since his return from Boston, he has laboured with renewed zeal and fervour, if possible, in the great questions which now agitate the country. The cause of Human Rights and Emancipation is the seminal principle of all his labours, and no Sabbath service escapes without an earnest appeal for the down-trodden and oppressed. It gives eloquence to his pen, animation to his oratory, and kindles more and more his expansive benevolence and self-sacrificing efforts. The amount of his labour in behalf of the slave is quite remarkable; advocating their cause, providing them with shelter, food and raiment, speeding them on their way by comforting words and substantial aid.

It is mainly owing to his influence that Syracuse is distinguished as a stronghold of Anti-Slavery and battle-ground of Freedom. The pulpit services and daily life of this courageous and good man are a continual and beautiful argument for the interests of human brotherhood. The tax upon his time and means is almost unlimited; and his Society, of which I am proud to be a member, have great cause for devout gratitude for the privilege of listening to, and co-operating with, this noble champion of an enlightened Christianity.

w. l.

Progressive Friends.—We have before us, in pamphlet form, the Proceedings of the Yearly Meeting of Progressive Friends, held at Old Kennett, Chester Co., Pa., in May last. The pamphlet embraces, first, the Minutes of the Meeting; 2d, "Testimonies" against Capital Punishment and Slavery—the first in the form of a memorial to the Legislature, and the last in that of an Address to the various Religious Denominations in the United States; 3d, Correspondence, under which head we find the epistles received from and those sent to kindred religious bodies in various parts of our own country, together with an address to the "Universal Christian Alliance" in France, whose official exposition of principles appeared in the *Standard* of Feb. 24th last—also letters addressed to the meeting by Theodore Parker, Cassius M. Clay, Thos. Wentworth Higginson and Theodore D. Weld; 4th, the "Exposition of Principles" adopted by the meeting last year and reissued now for a still wider dissemination among such as are seeking for information as to the views and purposes of those who have enlisted in this new religious movement. Whatever heresies of doctrine may, in the judgment of some, be contained in these pages (and upon that subject we are not at liberty, in these columns, to speak), they certainly breathe the true spirit of Christian Reform. It is manifest therefrom that the Progressive Friends are honestly endeavouring to promote the highest welfare of the whole human family; that the religion they would propagate is no lean and cadaverous spectre of effete dogmas, but a vital, practical religion, of which Jesus of Nazareth is the living exemplification and model. If all the sects of the land breathed the spirit of this new association, slavery could not exist a single year; it would flee before such a spirit as darkness flees before the sun.

Copies of this pamphlet will be found at the Anti-Slavery offices in New York, Philadelphia and Boston; price 12 1-2 cents.

Keeping up Appearances.—The Democratic leaders in "Old Berks," Pa., for some reason that has not been given to the public, selected for their orator on the Fourth of July "old Sam. Houston," as he is familiarly called. Now, the old General, in consequence of his opposition to the Nebraska swindle, is not in favour with the powers that be in Washington, and this appointment excited no little surprise and indignation among the faithful. "Old Berks" was almost suspected of treason to the party whose behests she has so long and so blindly followed. But the orator accepted the appointment and was greeted by an immense audience; and although he did not say a word on the Nebraska question, the *Doylestown Democrat* coolly illustrates its account of the meeting by a picture of a "big gun," with the smoke pouring out of its muzzle, and places under it in staring capitals these lying words: "Great Celebration at Reading! The Berks County Farmers as solid as a Rock in favour of Nebraska, Kansas and Democracy!"

POLITICS.

A correspondent of the *Evening Post,* writing from Bureau Co., Illinois, speaks hopefully of the state of public opinion there upon the great issues now before the country. "You may look," he says, "for a great and effective demonstration in Illinois during the coming Autumn, especially if New York will lead off in the right direction. Our intention is to elect an anti-slavery Legislature, to instruct Mr. Douglas, and elect a better man to the Senate in place of Shields. Rely upon it, that the great mass of people throughout Northern Illinois are becoming thoroughly aroused. Old party lines will be disregarded, and a union formed upon the issues of self-respect and self-preservation."

——The *Pittsburgh Gazette,* a leading Whig paper, makes this significant remark: "It is said that Mr. Seward delivered, at the close of his veto speech, a eulogy on the Union. We cannot find a report of it, and hope the statement is entirely unfounded. The present is a crisis when no northern man, who is a man, should go out of his way to glorify the Union." Remarks like this show which way the tide of public feeling and opinion is already beginning to run. The era of blind and unthinking devotion to the Union is passing away.

——W. E. Bebb, formerly Governor of Ohio, now a citizen of Illinois, writes to the *Tribune* as follows:

"You may rely that the North has at last resolved to stand by the right. If we are *wise,* we can carry every State north of *Mason and Dixon.* Even Illinois will not sustain Douglas. We have, you know, four Whigs, Washburne, Norton, Knox and Yates. Wentworth and Bissell dare not go against us. Richardson cannot be returned from that Yankee Quincy District; so we will have seven of the nine. Whether the two Allens can be sent back from Egypt (Southern Illinois) remains to be tried. The people there say not."

——The Washington correspondent of the *New York Express* writes that "the prospect of a thorough Whig victory in Pennsylvania, in October, increases daily. An experienced politician of superior advantages for acquiring information on this subject has recently returned from a long visit to that State, and gives it as his opinion that the Whig candidate for Governor, Mr. Pollock, will beat Gov. Bigler, from 10,000 to 15,000 votes. He regards this result as inevitable, and the election of a large majority of the delegation to the next Congress, by the Whigs, as equally inevitable." All this will happen, if at all, not because Pennsylvania loves what is generally known as Whiggery, but because she hates the Nebraska fraud and seeks to punish its authors.

MUCH IN LITTLE.

A petition for the repeal of the Fugitive Slave act, signed by the Governor of Massachusetts and about six hundred other citizens of Worcester, has been sent to Washington.

——Samuel R. Ward promises, on his return from Great Britain, to give his "Impressions" of that country through the *Provincial Freeman.* He intimates an intention to seek in future some employment more likely to afford the means of supporting his family than that of a travelling lecturer.

——George Bradburn was one of the orators at the celebration of the Fourth in Warren, Ohio. The *Chronicle* says: "He spoke in his own peculiarly emphatic and impressive style, and it was worth coming twenty miles to hear him lash the traitors who have betrayed liberty, humanity and the Declaration of Independence in the last Congress. Every blow which he dealt cut to the quick."

——The Anti-Slavery women of East Livermore, Me., took charge of the arrangements for the celebration of the Fourth of July in that place. The orator of the day was Hon. John P. Hale, and among the guests were Harriet Beecher Stowe and her husband. A sentiment in honour of Mrs. S. having been proposed, she rose with the Professor and was introduced to the audience. She was received with loud cheers, after which Prof. Stowe made a brief address of thanks. At his suggestion, the Ladies' Anti-Slavery Society agreed to send a response to the Address on Slavery of the 500,000 Women of England. Mrs. Stowe is expected to write the response, she having accepted the office of Corresponding Secretary of the Society.

——Gerrit Smith, in his speech on the Gadsden Treaty, uttered a sentiment which must commend itself as true to every person who is not drunk with national vanity and pride.

"Never has there been so self-deceived a nation as our own. That we are a nation for liberty is among our wildest conceits. We are not a nation for liberty. I refer not, now, to the terrible blot of slavery upon our country. I refer to our pride. No proud man is for liberty. No proud nation is for liberty. Liberty—precious boon of Heaven—is meek and reasonable. She admits that she belongs to all—to the high and the low; the rich and the poor; the black and the white—and, that she belongs to them all equally. The liberty for which a proud man contends is a spurious liberty; and such is the liberty for which a proud nation contends. It is tyranny; for it invades and strikes down equal rights. But true liberty acknowledges and defends the equal rights of all men, and all nations."

——One of our daily journals remind us in the following paragraph of a most disgraceful feature of social life in this day of boasted civilization and refinement.

"The wife unfaithful to her husband is in all eyes a lost, abandoned creature. To her no decent social circle is open; with her, no reputable woman associates; and no decent man invites her to meet his wife or daughters. But the husband who is very well known to have been, or even now to be, living in the grossest, most flagrant disregard of his marriage vows, is not therefore excluded from reputable society, is not driven to herd with outcasts, is not given over to perdition by the most rigorous and saintly. He may be a merchant in good business, the president of a bank, a member of Congress, a general of militia, a physician in large practice, and even occupy a front pew in church or synagogue. Many will censure his sin, but few refuse his proffered hand or resent his patronizing smile."

——A Woman in a pulpit has not yet ceased to be a wonder. On Sunday, the 9th inst., Rev. Antoinette Brown preached to the Wesleyan congregation in Syracuse. The *Chronicle* gives the following account of her personal appearance and of her discourse:

"She was neatly dressed, with rather a dashing watch establishment, and after throwing off her crape shawl presented herself at the desk, made her prayer—a long one after the Presbyterian usage—and spreading the Bible open before her, took her text and walked into her discourse. Her subject in the morning was one on which a woman might be expected to speak with some feeling. It was *Love!*

"Her discourse was a good one; her sentences were well constructed and rounded up with due regard to rythm; her theology was sound; and her instruction such as we all might profit by. But as it is a little out of the ordinary course for a woman to teach in public, and criticism is not therefore out of place, we will say that the discourse was not, in one respect, quite womanly. A woman is supposed to be the creature of emotion; to be easily moved; and to exhibit and express her emotion with vividness and rapidity. But Miss Brown's sentences were all measured and weighed, and the swell and cadence followed each other with as much regularity as the waves of the ocean or the stately periods of Gibbon. If her curtain lectures should be as unimpassioned as her public addresses, we envy the fortunate man that will some day disem-Brown her."

——The Mormons, in their history, their religious opinions and their social customs, present many curious and interesting phenomena. They are among the social wonders of the age, and it is not strange that many writers have attempted to describe them and the country which they have chosen as their earthly paradise. B. G. Ferris, formerly Secretary of the Territory of Utah, has just published a work which will no doubt go far to satisfy the public curiosity. Here is his description of the Great Salt Lake City, the Jerusalem of the "latter-day saints."

"Great Salt Lake City presents a very singular appearance to the eye of a stranger. It is built of adobe or sundried bricks, and is of a uniform lead colour, with the single exception of the house of Brigham Young, the prophet and seer, which is white, and, standing on the most prominent point in the city, may be seen at a great distance. The streets are eight rods wide and cross each other at right angles. Each block contains ten acres, and is divided into eight lots, of an acre and a quarter to a lot. Of course, the city, which contains a population of about eight thousand, is scattered over a large area. The buildings are very ordinary in their style of construction, generally of one story, and are, many of them, mere huts. It is not uncommon to see a long, low building, with from two to half a dozen entrances, which is a sure indication that the owner is the husband of sundry wives, after the fashion of the prophet Joseph. There are a few dwellings of a larger class and fairer appearance, among which are those of Brigham Young, already mentioned, Heber C. Kimball, Parley P. Pratt, Ezra T. Benson and other dignitaries of the Mormon hierarchy.

"The public buildings are few—the Council-House, where the Legislative Assembly and Courts are held; the Tithing office, where tithes are received, in a room of which is the Post Office; the Social Hall, where theatrical performances are had, and in which the Saints are accommodated with conveniences for dancing and social parties; and the Tabernacle, a long, low building on Temple Block, the Mormon place of worship, very large on the ground, and capable of seating an audience of three thousand.

"Temple Block contains the usual complement of eight acres, and besides the Tabernacle has a range of workshops belonging to the church, in which various mechanical employments are carried on. A wall is being built around the whole block, and excavations were commenced in the Spring of 1853 for the erection of a temple which is to be the future glory and pride of all Mormondom. It is designed to be two hundred and twenty feet long by one hundred and fifty wide, with walls six feet thick. The excavation in the centre for a baptismal font is twenty feet deep. This grand structure is building, as all credulous Mormons believe, after a plan revealed to the prophet Brigham from heaven, and is to consist of three parts, corresponding to the sun, moon, and stars, which are the three glories or degrees of salvation in store for all true Latter-day Saints."

LITERARY.

Benton's "Thirty Years View," is being translated into German and published in monthly parts at St. Louis.

——F. W. Thomas, in Philadelphia, is publishing, in parts, the novels and poems of the late Heinrich Zschokke, one of the most popular of modern German writers.

——Rev. Antoinette Brown delivered a discourse on "Creative Genius" before the Dialexian Society of N. Y. Central College on the 10th inst. It is said that her theme was admirably handled.

——Elizabeth Oakes Smith is about to issue a new novel, entitled "Bertha Lily, or the Parsonage of Beech Glen." It is understood that the writer interweaves the results of a progressive social philosophy with the details of an exciting plot.

——Frederick Douglass delivered the oration before the Literary Societies of the Western Reserve (O.) College on the 12th inst. His subject was, the Unity of the Human Race. He spoke two hours to an audience of 3,000 people, and is said to have acquitted himself well.

——Rev. Beriah Green delivered an address before the Union Society of the N. Y. Central College on the 11th inst., Subject: "The Sisterhood of Science, Art and Literature." The address was characterized by the originality and vigour that always mark his performances.

——Charles Francis Adams has nearly completed the collection of the last volume of the works of his grandfather, John Adams. The publication of them will soon be commenced. They will embrace ten volumes. Four additional volumes are also to be issued, containing the family correspondence, Mrs. Adams's letters, &c.

——Orestes A. Brownson announces, from his own pen, and to be published in a few days by Little, Brown & Co., "The Spirit Rapper," an autobiography, in one volume, 12 mo, illustrating the connection between mesmerism, philanthropism, socialism, revolutionism, demonism and the recent spirit manifestations, and suggesting the principle of their explanation.

——A work from the pen of Dr. William Elder, of Philadelphia, was announced as in the press several months ago, since which his friends have been waiting anxiously for its appearance. They are likely, we understand, to be very speedily gratified. The title of the work will be: "Periscopics, or Current Subjects Extemporaneously Treated." The publisher is J. C. Derby.

——Benton's "Thirty Years in the Senate," the *Evening Post* says, is the only work produced by a native of a slave State which can make any pretension to a *permanent* place in the literature of the country. The popularity of this work, according to the *Post,* has exceeded that of any work of its cost in this or any other country; while Calhoun's "Essay on Government" has fallen dead from the press, having failed to attract any attention beyond the narrow political circle of which, during his life, he was the centre.

——A work entitled *The Knickerbocker Gallery* is to be published in September next. It is to consist of an original miscellany of Literature and Art, comprising papers by eminent living American authors, and embellished with forty highly finished portraits engraved on steel. The work is intended as a complimentary tribute to Louis Gaylord Clark, for his long and assiduous services as editor of the *Knickerbocker* during the unexampled period of twenty years. The plan has received the cordial approval of Washington Irving, Bryant, Halleck, Longfellow, and other distinguished writers and literary men, a large number of whom have engaged to furnish original articles for its pages.

TEMPERANCE.

The American Temperance Union have issued two excellent tracts, in addition to their former list, for the temperance campaign—Gov. Dutton on Prohibitory Law, and Rev. H. W. Beecher on the Maine Law; also, a Beer Tract in German and English.

——The Philadelphians are to be envied. They have got a government that enforces the law against the opening of drinking-houses on Sunday. They will be more fortunate still when they get a law to prevent the opening of such shops on any day of the week, and find a Mayor firm enough to execute it.

——The Delavan State Temperance Union, composed mainly of coloured people, holds its Twelfth Anniversary at Bergen Village, a mile from Jersey City, N. J., on the 1st day of August, 1854 (being the Anniversary of British Emancipation), commencing at 10 o'clock in the morning. An especial invitation is given to the coloured citizens of New York, Brooklyn and Williamsburgh.

——A correspondent of the *Tribune* makes a suggestion which the friends of Temperance will do well to heed, viz.: that a tract embodying all suitable information relative to the use of intoxicating drinks and the traffic therein be prepared and translated into the language of Japan and forwarded to that Government, so that the people of that nation may be forewarned and forearmed against one of the greatest curses that afflict humanity. Doubtless extensive preparations will be made to open the liquor trade there next year, as no business in the world pays better, especially in a new country.

Henry Ward Beecher declines the "equivocal honour" of being sent to Congress. He says (in the *Independent*):

"It may not be modest for us to decline before we are really asked. But such efforts will certainly be love's labour lost. If the people wish us to be the President of these United States, we should be disposed to accept that. And we fancy that there will be new times in Washington City after our inaugural shall have been pronounced.

"Had the proposal to go to Congress proceeded from the American Board of Missions, there would

have been grave reasons for considering it. We doubt whether they have a harder field in all Heathendom; nor yet a field where the Gospel is more needed.

"But, for mere political reasons, to backslide from the pulpit into Congress, is a little too long a slide for the first venture. We beg to decline in advance."

We approve of Mr. Beecher's determination to remain at the post where he has so long and so manfully fought the battles of freedom, but when he intimates that to leave a pulpit for a seat in Congress is, necessarily, to "backslide," we must beg leave to demur. It would depend upon the sort of pulpit left and the sort of man that leaves it, whether the step to be taken would be an upward or downward one. We give Mr. Beecher the credit due to his fidelity, but we can't allow him to take on airs in behalf of "the pulpit," as such. Congress is a bad place, we know, but there are pulpits in this country, not a few, where the Gospel is as much needed as it is there. Say what you will of the blackness of the pot, but pray don't boast of the whiteness of the kettle; it isn't in good taste. There are scores of clergymen whose transfer from their pulpits to a seat in Congress might well be hailed as affording some ground for hope of their reformation; and it is as true of the American Pulpit as it is of the American Congress, that "there is no harder field" for the Christian missionary "in all heathendom."

Domestic Correspondence.

From our Boston Correspondent.

NO. CLI.

THE ARGUMENT.—*The Correspondent is treasonable—He imitateth Mrs. Gump and proposeth a toast—He lamenteth over the failure of General Arnold—And expoundeth what was lost thereby—The Fourth of July and the Night before—The Sims Mayor is praised—The Burns Mayor is told of an occasion when he might call out the military—Mr. Garrison at Framingham—His incendiary conduct—The Correspondent reproveth it—And why?—The Batchelder Murder Indictments thrown out—Justice's Justice—Legal gnats and camels—Other Indictments—The Rev. T. W. Higginson—The Correspondent hopeth well for him—Also of the juries generally—Judge Hoar's charge as to the Rioters of the Court-house and of State Street—The Correspondent looketh out for fun, &c. &c. &c.*

BOSTON, July 17, 1854.

I WISH it wasn't wicked to drink toasts, for I should like to propose one, with all the honours. Hip, hip, hurrah! hurrah! hurrah! and one cheer more. Perhaps you would like to know what the toast would be. If so, here you have it: "THE GLORIOUS AND IMMORTAL MEMORY OF BENEDICT ARNOLD!" I have long had a tender yearning for that sainted man on the Fourth Day of July, and the preceding night, in every year. Then one realizes, in some faint degree, what the country missed by the miscarriage of that loyal patriot's well-laid design. Only to think of it! If those rascally cowboys had been tending their own cows at home (if they had any, which is very unlikely) instead of being foraging about after other people's, or if Major Andre had behaved with common discretion and presence of mind when they overhauled him, what a different world we should have had of it! Instead of being governed by a pack of drunken ruffians in Congress assembled, whipped in by a handful of dirty negro-stealers, we should have had our laws made for us by a respectable Parliament, in which we should have been duly represented. Perhaps the seat of the Imperial Government would have been transferred to New York or Philadelphia, who knows? At any rate, we should have been governed, if by a foreign power, by one not more foreign than the power that governs us now, and one not necessarily our Natural Enemy—if by an oligarchy, it would have been at least an oligarchy of gentlemen and not of blackguards and bullies. Then, moreover, we should have had no Slavery at this time; and last, though by no means least, we should have had no Fourth of July. No Slave-hunts in our streets, no Court-houses in chains, no Judges going under them on their bellies, no quack for Mayor, no pill-monger for a Commander-in-Chief, no Sims Brigade of embattled shopkeepers breaking the laws of the State that one man who had won his freedom might be made a slave again, no Governor to pat them on the back and tell them they were fine fellows for doing it! No ringing of bells, no roaring of cannons, no exploding of crackers, no Fourth of July Orations! It is enough to break one's heart to think of it. What a difference it would have made in History, to be sure! Mr. Washington would have gone back to surveying land (an employment for which there is every reason to believe he was eminently qualified), and Benedict Arnold would have been the American hero. How Universal Yankeedom would have discovered a Providence in his very name! Benedict! Blessed, indeed! Success would have made all the difference in the world with him. O Paulding, Williams and Van Vert, if you must have been so wicked as to be playing cards in the morning of that fine day, why didn't you attend to your game instead of stopping true men on the highway? You as little thought as did Sir Isaac's dog Diamond of the mischief you were doing.

This last Fourth of July was a more terrible one than any of its predecessors. I should think that we must have caught up with you in the phrenetic riot which ushers in and accompanies that annual orgy. The custom of making the previous night hideous and horrible, of murdering the innocent sleep of a harmless community, and of offering up a hecatomb of sick men on the altar of our country, that we hear so much about, is new within a very few years in these latitudes. It is a very serious addition to the inevitable horrors of the day. We used to think it bad enough to be waked at sunrise by the ringing of bells and the firing of cannon. But that was mere "cakes and gingerbread," as Sancho says, to what we have to endure now. Every imaginable combination of discord that can be made by breath, metal and gunpowder fills the hours of the entire night, leaving not a moment for the purposes for which night is vulgarly supposed to have been invented. Now, it is not to be supposed that the majority of the "law-abiding citizens" take part in these nocturnal recreations, and they would choose, of the two, to have their ordinary nocturnal recreation of a good night's sleep. So, why these nuisances are permitted in places where magistrates and policemen are organized institutions, it is hard to understand. It must be on the practical working of our other institutions, that the minority, and the smaller the better, is to have everything its own way. That peace could be maintained was proved, one night before the Fourth, by one of our Mayors. To give the devil his due, it was none other than Mr. John P. Bigelow (the Sims Mayor, you know), and it should be put down as a moderate *per contra* when the account of his sins of omission and commission is made up. During his incumbency, he issued a proclamation to the effect that those disorders should not be allowed, and intimating that the night police would be increased for the nonce, and all persons breaking the peace would be incontinently put in *quod*. It worked like a charm, and there was no [illegible] that night than on the average of nights through the year. Now, if Mayor Smith had called out the Militia to keep the peace of the City that night, there would have been some sense in it. As a sort of a doctor, he must know that it is very bad for people to be broken of their sleep. And as for Major-General Edmands, as an Apothecary is liable to be called up at any time of the night, it would have been no peculiar hardship upon him.

The Celebration here was distinguished by an Oration, by the Rev. Mr. Stone, of this city, of a very peculiar description. Instead of flattering the people by telling them what tremendous lovers of liberty the Americans are, and all that sort of trash, he set their sins in order before them and gave them a very good anti-slavery lecture. Dr. Smith, it is said, looked all manner of ways in all sorts of colours; but the worst things that were said were received with the loudest applause. And, afterwards, when the usual vote of thanks and request for a copy for the press came before the Common Council, there were not wanting patriots National enough to try and hinder it of the usual formality of compliment. Unluckily for Mr. Stone, these Defenders of the Constitution were in a minority, and the usual votes were passed. Had it only been refused, there never would have been a Fourth of July Oration that sold as that would have done. And I daresay it has done very well as it is. The day, as you know, was the hottest of the hot—exceeding, it was said, any within the remembrance of that questionable authority, the Oldest Inhabitant. It was hot enough at any rate. But hot as it was, Mr. Garrison, you will have seen, was not content without kindling another fire and consuming the Constitution of our Common Country and one or two of its natural fruits in the flame. The incendiary character of this person is well known; but it seems to have surpassed even those who have watched his course longest that his propensities should have burst out in so very reprehensible a direction. The act excited a natural and just burst of indignation on the part of the patriotic press of the country, truly gratifying to every well-regulated mind. It is surely bad enough to have such a Constitution, and such a Law, and such a Decision as were subjected to that incremation, without their being made to add to the natural heat of the hottest of Independence Days. It was carrying coals to Newcastle, and burning them after you got there. It was the waste of which I complain. That is the way the thing strikes me. The assembly, however, appeared to have sympathized in this inflammatory Exegesis of the Constitution, and to have accepted it as a very good and appropriate use to be made of the Instrument and of the Day. As you will probably give an account of what was done at Framingham, I shall forbear any further comment on what was done and said. It is enough to say that it was a very satisfactory occasion to all who were there.

The Grand Jury for this County have thrown out the Indictments for murder against the four persons who were committed by Justice Cushing at the time of the attempted Rescue. That whole preliminary proceeding was a very good exemplification of what Fielding calls "Justice's Justice," as distinguished from Common Justice. There was no evidence at all that Batchelder was killed from without, and the probabilities are that he fell by the blundering hand of one of his scared confederates, so that there was the very smallest ground for committing anybody for a crime merely constructive, if any crime had been committed. But Mr. Stowell, of Worcester, and his three companions have been shut up in the cells of our jail for six weeks, under this egregious decision. And those whom Justice Cushing discharged of the charge of Murder and held on that of Riot, he required to give bail in the sum of $3,000. Fortunately they were all able to obtain it, so that no practical hardship ensued. But the next week, a ruffian named Sullivan, who had made an assault, with intent to kill, on Mr. Dana, of counsel for Burns, in revenge for the just description he gave of the wretches whom the Marshal had been obliged to employ in his nasty job, when Sullivan was brought before this same sapient magistrate, he held him only in $500! As might have been expected, this miscreant gave bail and then legbail, and avoided the jurisdiction; though, I am glad to see that he has been pursued to New Orleans, and is now on his return voyage, which will probably result in his being put to some useful purpose for a reasonable period of time. And now that these four men are indicted for a Riot, they are held to bail only in $1,000. I merely mention this as an instance of the way in which Justice sometimes strains at gnats while a whole herd of camels can go down her gullet as if it were the passage of the Desert of Sahara.

Several other persons are indicted for the attack on the Court-house, among whom is the Rev. T. W. Higginson. It seems to be suspected that he was desirous of performing the miracle suggested in the Scripture, of raising up from those Stones of the Court-house a child unto God, if not unto Abrahaham. But I cannot suppose that any jury can be made to believe that any minister of the gospel, in this age of the world, and especially in this country, could be guilty of such an impropriety. Indeed, I cannot believe that any jury can have so ill an opinion of any of the parties charged as to find them guilty. The Jury is said to be engaged now in considering the case of the Mayor and Major-General, for disturbing the peace of the city, and, in short, of kicking up the greatest riot we have had for eighty years, for the purpose not of rescuing, but of kidnapping, a man. For Judge Hoar, while he charged the Grand Jury as strongly as was possible against the persons accused of a riotous attack on the Court-house, was as clear in his instructions as to the illegal conduct of the Mayor in calling out the militia, as he did. It is almost too good a thing to be hoped for, but it would be great fun to see the Mayor and his Major-General sitting cheek by jowl with the honest fellows who are accused of doing what made them make such apes of themselves—only it would be too good company for them. It's not what they are used to. D. Y.

From our Philadelphia Correspondent.

PHILADELPHIA, July 17th, 1854.

I SAID in my last that there was a probability of our Ex-Governor, Wm. H. Johnston, being chosen from this State to the United States Senate. This was true; but it is also true, as I have since learned, that it is in contemplation by the Whigs of Ohio to nominate the Ex-Governor for the Presidency, and that some of the knowing ones think that, as a candidate, he would be "hard to beat." They say he is, on the whole, one of the most available, and in other respects the most suitable, man that could be brought forward. *Availability*, you know, is a prime requisite, without which all other virtues are as "sounding brass and a tinkling cymbal." Whether the Governor possesses this cardinal qualification to a sufficient degree, it is not for me to know, but it must be admitted by every one that he is a man of superior ability and rare political courage—qualifications which, after the *sine qua non* of availability, one would suppose at a time like this, would entitle him to some consideration. He was one of the ablest Governors Pennsylvania ever had, and did more than has been done by any other man in that office in my day to place the Commonwealth in a dignified and honourable position among her sisters of the Confederacy.

It is said that the Ex-Governor is an "unscrupulous politician"—an objection which, we should suppose, would hardly be considered an insuperable one. Old politicians are not apt to be overscrupulous; a weakness of this kind would be fatal to their success. Our political system is one of Compromises. It is a system in which Truth and Falsehood "are met together," Righteousness and Cruelty "have kissed each other." With such a basis as this for our politics, "the man must be a prodigy" indeed who can be a politician, "and retain his morals and manners undepraved." That Governor Johnston is such a "prodigy" it will hardly be pretended. If he were, he would not be very likely to be nominated for the Presidency. It is said of Thaddeus Stevens, that, on one occasion, when he was Canal Commissioner under Governor Ritner, he and one of his associates in office, Elijah F. Pennypacker, were planning together for a re-election; and the story goes that he made a proposition to which our friend Pennypacker objected, our friend, as was like him, having conscientious scruples. Mr. Stevens heard what he had to say, and then replied: "I tell you what it is, Pennypacker, it doesn't do to be too d—d virtuous." This I believe is the received philosophy among politicians, though it is not every one that would take this way of expressing it. As to Governor Johnston, it is not at all likely that he has virtue to such an excess as to disqualify him for the position in which it is in contemplation to place him.

Your readers will be pleased to learn that there is a prospect of a general *bouleversement* in our Congressional representation from this State. All the Nebraska men, it is said, will be left at home, and men of opposite principles sent in their place. Indications of something of this kind are seen in the nominations that have already been made in the interior of the State, and from the givings-out here it is likely that Philadelphia will soon follow with action of the same import. Edward Joy Morris is spoken of as the probable successor of T. B. Florence in the First District. Mr. Morris is a young man, and a Whig of the most liberal sort. He formerly represented this same District in Congress, and was afterwards sent by General Taylor as Charge to Naples. He is a man of talent, is a good speaker, and has the manners of a gentleman, in all of which respects he is the antipode of the present incumbent of the office, who, as you know, is a vulgar, brazen, brainless fellow. The prospect of the change is an agreeable one to Pennsylvanians who have a special interest in the matter, and must be so also to all readers of the Congressional proceedings. It will be a relief to all such to be rid of the officious interpellations with which this fellow made the reports to abound.

In the Second District it is said that Mr. Chandler will not be nominated for re-election. This will not be for any fault of his in regard to the Nebraska question—his course on that question having been creditable to himself and highly satisfactory to his constituents—but for other reasons; the principal of which, I understand, is, that he is a Roman Catholic, and on that account obnoxious to the new power that exercises control in our elections. The "Know Nothings" will be largely represented in the nominating Convention, and to them Mr. C. will not be acceptable. Who will be his successor is as yet a matter of conjecture. Hon. Charles Gilpin, late Mayor of the city, is spoken of, as is also Charles Gibbons, Esq. The former, though the best Mayor the city has had for many years, is not popular, and on this account not likely to be chosen. The latter, Mr. Gibbons, is a man of talent, an able popular speaker, having the advantage withal of a good deal of legislative experience; all of which are recommendations as far as they go. Mr. Gibbons was once known as an anti-slavery man; he was one of the Standing Counsel of the Old Abolition Society, and, when in the State Legislature, exerted his influence, as Speaker of the Senate, for the passage of the anti-kidnapping law of 1847. But he afterwards, under the administration of Fillmore, of whom he was a staunch adherent, became an earnest "Union" man, advocated the Compromises of 1850, the Fugitive Slave Law included, and identified himself with the men who clamoured for the repeal of the Act of Assembly of 1847. This was an unnatural position for Mr. Gibbons, and one for which he was neither fitted by nature or education. He was thrown into it by a political accident, and we cannot help but think he occupied it with great personal discomfort to himself. Mr. Gibbons has for some time past taken no open part in political affairs, and it is to be hoped that if he now allows his name to be again brought before the public, he will at the same time take such ground on the Anti-Slavery Question as his better nature would prompt and as the exigencies of the times require.

Who are to be the candidates for the Third, Fourth and Fifth Districts, now represented, respectively, by Robbins, Witte and McNair, is a question on which, at present, I cannot give your readers any light. Robbins was the administration candidate for nomination by his party for Mayor, but he was found too redolent of the corruptions at Washington to be considered available, and, taking a hint from this and considering "discretion the better part of valour," he has concluded not to stand for a re-election for Congress. Witte is the man who, the papers stated, brought Mike Walsh into the House late at night, staggering drunk, to vote for the Nebraska Bill. McNair it was that was burnt in effigy at Norristown for the gross manner in which he had *misrepresented* his constituents. Any change from such men must be for the better.

I made allusion a while ago to Thaddeus Stevens, which reminds me to say, that I hear no mention made of his name in any of the political changes that are in contemplation. He is in Lancaster practising law and hiding his time. The last time I saw him was at the Treason Trials. He was then inquiring for a man qualified to edit an independent newspaper; and was particular to say that he wanted a man of "prudent rashness." Whether Mr. Fenu, the gentleman who now edits the paper to which he referred, is considered by Mr. Stevens to be a man of this description, I can't say. The *Independent Whig* has certainly a good deal of the quality implied in its name, and unites discretion with boldness, to a degree that puts it much above the common run of political journals in this State.

If this long screed of personal politics should prove tedious to some of your Qu...ker readers, as I presume it will, let them conclude, as they sometimes have to do at Meeting, when listening to screeds of another kind, that the communication, though it does not interest them, may possibly prove profitable to others. M. M. K.

C. CHAUNCY BURR AT THE CONFESSIONAL.—It is not often that a moral renegade volunteers to inform the public of the mental agonies that wait upon meanness and treachery; but occasionally one *will* seek relief from his woes in open confession. Mr. C. Chauncy Burr, of "toe-cracking" memory, has even set his retributory misery to a very poor piece of rhyme, which the *Home Journal* must have printed, as we do, only for joy that the fellow is getting his deserts. Here it is:

PHANTOMS.

I hear a music in the wind!
Old songs of all I've left behind,
Singing dirges to my mind.

And in the tongueless gloom of night,
And in the day's unquiet light,
Fancy shudders in its flight.

Forms which religion traced above—
Phantoms of all the heart can love,
Treading on the grave of love.

Strange spectres in my vision loom,
And, trailing thro' the stagnant gloom,
Sit beside me in my room.

And where the sleeping shadows lie,
My fancy hears the breathless sigh,
Of a spirit passing by.

And music trembles in the wind!
Old songs of all I've left behind,
Singing dirges to my mind.

Ah, Chauncy! these awful "spectres" and "dirges" will continue to haunt you till you turn from your evil ways.

CHOLERA.—This disease prevails in a greater or less degree in almost every part of the country. In some places it is very fatal. The number of deaths therefrom in this city, last week, was 147—an average of 21 a day. Nine cases out of ten result from known irregularities of diet or other imprudences, easy to be avoided. Edward C. Delevan expresses his conviction that the intoxicating cup, whether that cup contains "pure" or "*impure*" poison, is, in nine cases out of ten, the predisposing cause to this fatal disease. As regards the "*pure*," if it was safe, he does not believe there is one gallon on sale in Albany. A large dealer honestly told him that *he* had not one. Mr. Delevan enforces his opinion by some very important statistics. He says it was ascertained, upon careful investigation, that of 336 persons over 16 years of age, who died of the disease in Albany, in 1832, 140 were intemperate and 186 free and moderate drinkers; while only 5 were strictly temperate, only 2 members of temperance societies, and 3 unknown!

THE Norristown (Pa.) *Herald and Free Press*—a Whig paper of the moderately progressive and anti-slavery sort—came out last week in a new dress. It has, as it deserves, a large local circulation.

THE FREEWILL BAPTIST QUARTERLY *for July* presents the following table of contents:

I. Ministerial Education.
II. Nature and Extent of the Atonement.
III. Union with Christ: A source of Life and Power.
IV. Obstacles to Revivals.
V. Politics and the Pulpit.
VI. Unitarian Developments.
VII. Discourses and Sayings of Christ.
VIII. Nebraska, and the new Issues of the Slave Power.
IX. Contemporary Literature.
X. Periodical Literature.

Of such of these articles as belong to the domain of theological controversy we will only say that they seem to us to be characterized by broad and generous views and a spirit at once earnest and catholic. The article on "Politics and the Pulpit" is a fearless assertion of the right as well as the duty of ministers of the gospel to bear a testimony against all forms and systems of wickedness, however sanctioned by custom or buttressed by the sanction or the connivance of political parties. It is not a cold assertion of abstract principles, but an earnest, practical discussion of living issues. The article on "Nebraska and the New Issues of the Slave Power" is as radical as it could be without advocating a dissolution of the Union. It repudiates the favourite idea of Mr. Sumner and others that the North and South could live in peace if the latter would only consent to confine slavery to its present limits, and asserts that "our anti-slavery sentiment can never be content that despotism shall bear rule over half the confederacy." We had marked an extract, for which we cannot now find room.

This magazine is published in Providence, by Williams, Day & Co., at $2 a year.

SECTARIAN NARROWNESS.—The London Yearly Meeting of Friends—a body making the highest anti-slavery professions—refused at its last session even to *read* a letter addressed to it by the Yearly Meeting of Anti-Slavery Friends in Indiana. The Clerk having informed the meeting that such a letter was on his table, a committee of three was appointed to examine the dangerous document and see if it was fit to be laid before the meeting. This committee, two of whom formed a part of the delegation sent to Indiana eight years ago, reported against the reading of the letter, whereupon the meeting agreed to return it to its authors in "a conciliatory and sympathizing manner," as if such an act of discourtesy toward a body of earnest Anti-Slavery Quakers could be atoned for by honied words and smooth professions, or be made to look otherwise than narrow and Pharisaic. How hateful is the spirit of sect! To what shifts and subterfuges it drives its victims! How it eats out of their souls the manliness which is so essential an element of Christian character!

NOT AT ALL SURPRISING.—Abolitionists will remember the shocking remark made not many years since by a popular and eloquent Southern Divine, that "he would as soon buy or sell a slave as a leg of mutton." The man who uttered this brutal sentiment was Rev. W. T. Hamilton, D.D., of Mobile, who has lately been detected in a crime so foul that a clean tongue shrinks from even naming it. He has been driven not only from the pulpit, but even from the society of the "respectable" slaveholders, whose crimes he has so often sought to justify from the Scriptures.

KIDNAPPING CASE.—Thomas Wright and Taylor Ingram were arraigned before Ald. Hibberd, of Philadelphia, on the 14th instant, upon suspicion of having sold as a slave a coloured boy of that city, named Purnell Johnson, whom they had hired to come to New York in charge of a race horse. The men asserted that they had sent the boy from Long Island to the city of New York, with a valise, since which they had heard nothing of him; but there are circumstances which make it probable that they sold him.

A COLOURED MAN IN OFFICE.—Hon. Edward Jordan, for many years editor of the *Morning Journal* at Kingston, Jamaica, was recently chosen Mayor of that city. He had previously held a seat in the Legislative Council and filled many other honourable offices. He was elected Mayor because he was thought to be the only man in the place whose administrative qualities and weight of character were adequate to an important crisis in public affairs. He accepted the office only after the most urgent solicitations.

"THE STANDARD" is the name of a new paper that has just reached us from Fort Wayne, Indiana; Charles Case and John Hough, Jr., editors. It makes a very respectable appearance, and promises to be a good local journal of the progressive sort. It goes against Slavery and in favour of the Maine Law. We gladly comply with its request for an exchange.

Foreign Correspondence.

From our Dublin Correspondent.

DUBLIN, June 29, 1854.

MESSRS. EDS.: So the Nebraska Bill has been passed and Anthony Burns has gone back to the House of Bondage. An Abolitionist requires a large development of hope to help him on his way; and by one who lives on this side of the Atlantic, no small stock of faith is needed to keep up his heart in view of the astounding *facts* which illustrate the progress of the slaveholders to absolute dominion over your model republic. If the House of Representatives be but the nominees of the people, how does it happen that forty-four members from the free States were found to vote in favour of a bill so hateful in its tenor, and so insulting to the North, as that for the permission of slavery in Nebraska? If these men were led to this act of treachery to their constituents in the hope of government favour, what is there to prevent their successors from giving way to a similar temptation? Do the northern people, who are not particular about slavery, show any special indignation with their representatives who helped to carry the Nebraska Bill? or are they merely a little annoyed? and if so, is not their anger likely soon to blow over? And if this be the case, is it not probable, when President Pierce brings on his bill for the annexation of Cuba, or the removal of legal impediments to a free prosecution of the African slave trade, or the extension of slavery to the north of Mason and Dixon's line, that he will find no difficulty in carrying some or all of these measures just as easily as he has carried this Nebraska Bill or restored Burns to slavery? Admitting the truth of all I hear from Abolitionists proper, and from such opponents of slavery as the New York *Evening Post* and the *Tribune*, respecting the progress of anti-slavery principles and the change in public opinion towards Abolitionists, what is all this to come to? When is it to bring forth its legitimate fruits in a real, tangible, practical uprising against the infamous course of the United States government? When may we look for that crisis at which the people of the free States will refuse to be dragged any longer at the chariot wheels of the triumphant slaveholders, to suit the purpose of selfish politicians and the sordid worshippers of mammon? I like to know what the Abolitionists think, and to hear what they have to say; but, with their principles and prepossessions, it is inevitable that they will give a somewhat one-sided view of the shield. In the northern States there must be a vast many good, easy, sensible, good-natured, patriotic people not liking slavery, but early imbued with the prejudice against colour, and having no special sympathy with the slaves; probably never much inclined to put themselves out of their way for anybody's sake but their own, and therefore disposed to look on the Abolitionists as a set of crotchety, wrong-headed disturbers of the peace. I would like to meet with as honest a specimen of this genus as could be found. I would ask him to sit down with me, and have a good long talk over the present position of affairs. I would like to know how he regards the annexation of Texas, the Mexican War, the Fugitive Slave law, the Nebraska Bill, the prosperous progress of slave-catching in the free States, and the probable war with Spain for the addition of Cuba to the Southern interest, and to get a few flying notions (if he has any) about Hayti, the British West India Islands, the Valley of the Amazon, and so forth.

I know from the *Pennsylvania Freeman* that, at the last Philadelphia Meeting of Orthodox Friends, a Memorial, or Petition, or Address, or something of the kind, by way of remonstrance against the Nebraska Bill, was agreed to, but it was stated that any more energetic, individual, hearty action was discountenanced. In short, Friends were not in earnest. They had "a little sentiment" on the subject, and they gave expression to it. But no overwhelming, heart-absorbing sense of the huge iniquity had possession of their souls; they were much more deeply touched about the danger "to Friends" from meddling too much with Spiritual Manifestations. I suppose Friends are not alone in this respect, and that your people in general go on buying, and selling, and getting gain, enjoying present advantages, undisturbed by the prospect of contingencies connected with the progress of the Slave power, which may never affect themselves, and can only trouble posterity when we of the present generation are gathered to our fathers. People who are snug, and comfortable, and making money, are not likely to raise a rebellion. Slavery is bad, and the slaves are greatly to be pitied, but so long as slaves and slavery are the cement by which your glorious Union is held together, you must by all means have slavery and slaves. There is a general impression in these parts that if it were not for our Queen or somebody in her stead, the skies would fall and chaos come again—that the little lady (who, to look upon, is no more wonderful than hundreds you might meet any day in our fashionable streets) is the keystone in the arch of our national prosperity. This seems ridiculous enough when viewed from your side of the water—but it is certainly not so preposterous as the idea that prevails with you, of your greatness and prosperity being contingent upon the maintenance, extension and glorification of slave property.

I would like to see so much of the private history of time preceding your great revolution as would enable one to form some idea of the progress of opposition to the home government. You did not rebel at once. There were conservatives, hunkers, selfish and money-grubbing people then as now, who cared for nothing so much as to allow the course of trade to run smooth. It would be desirable to know by what degrees such people as these were carried away by the rising tide of public opinion and obliged to swim with the stream.

Morally speaking, and as far as the welfare of the human race is concerned, the coming Revolution of the American mind which shall shake off the trammels of the slaveholders will be more important in its results than the assertion of your national independence has already been. It would be difficult to estimate the change that would be effected in your position if you could free yourselves from the want of principle, the open scoundrelism, political profligacy and time-serving hypocrisy in the name of religion, which are now so rife among you, as the results of the slave system.

I enclose a cutting from the *Daily News*—next to the *Times*, the most important of the London daily papers, and one which enters warmly and with great ability into the influence of slavery upon your national welfare. I have heard that one of the principal contributors is a writer of great eminence and of warm anti-slavery sympathies; and if the report be correct, I congratulate you on the accession of such a potent ally, and would recommend you, provided you have access to a file of the *Daily News*, to transfer whatever you meet in it of this kind to your columns. Everything which tends to swell the tide of the abhorrence and contempt of the civilized world against slavery is worthy of your notice, and it is most important to break the ice of British indifference on this subject. I use the word indifference advisedly, for although an anti-slavery sentiment is general in England, it is feeble and shallow, and every effort to give depth and force to the stream should be heartily welcomed, from whatever quarter it may hail.

I had a letter from Parker Pillsbury to-day. He has been "visiting families" in Ambleside, Manchester and Liverpool, a welcome and honoured guest wherever he goes. I hope he will shortly favour us with a visit. Though we do live so near Donnybrook—I suppose you have heard of the famous fair and its shillelaghs—we are quiet people, and he can have peace and repose and a hearty welcome in these parts—all very grateful to the tired veteran, and most desirable in his case, for his health was much shaken by the laborious life he has led since his anti-slavery labours began fourteen years ago.

As to the war now going on in Europe, I am in great hopes that the allies may succeed in crippling the Russian power. No single man ever made so many of his fellow-creatures unhappy, or ever so largely sacrificed the good of mankind to his own self-love, as the Emperor Nicholas. He is a tremendous tyrant. It is essential to the happiness of Europe that his wings should be clipped and his power effectually crippled. And I hope and trust it will be done.

Yours truly, R. D. WEBB.

Summary.

The New York *Times* thinks that the cry of the age ought to be, "There is no God but Mammon, and Dry Goods is his Prophet!"

The *Pathfinder* has a picture of a great cannon, labeled "The Law" that "has triumphed in Boston."—*Exchange.*

And in *republican* France also.—*Nat. Era.*

Paine's Light, which has been under a bushel for a long time is now about to shine. The Worcester *Spy* says the difficulties have been overcome, and a large company of capitalists of New York has been formed, to bring out and operate the invention.

The Providence *Journal* is to be credited and honoured for this saying: "We never believed that God made birds to be killed for 'sport,' and we are sure that one live bird, in a civilized country, at least, is worth a dozen dead ones."

The Savannah *Courier* says that Sims was not whipped to death, but went to New Orleans by his own request; where he has found a purchaser, and is at work at his trade of a bricklayer, so successfully, that in a short time, if disposed, he may be able to purchase—himself.

"DAM."—A letter in the *Evening Post* from New Hampshire, has among other attractive headings, which do not in vain promise a very entertaining letter, the words "The Shakers—Dam—Shad and Salmon." It was our impression that among the members of a certain party in New Hampshire, there is more "*Dam*" than anything else, about this time.

DANIEL.—If it were possible for our public men, and members of Congress, especially of the free States, to recover their lost faith that *God was on the side of humanity*, we might hope to have some modern Daniels, but never before. Men of expediency and compromise may make second-rate Daniels, but they never stand fire.

FEMALE POSTMASTERS.—The number of females at present holding the office of postmaster (or rather mistress), in the United States, is 128. They are appointed, give bonds, are commissioned, and receive the same compensation for their services as other postmasters. Unmarried females only can hold the office of postmaster.

The Boston correspondent of the *State of Maine*, speaking of the recent proceedings before the Grand Jury of the U. S. Court, says: "One of the witnesses whom he sent in to them tells me that during his whole examination, the Grand Jury were laughing and cracking jokes on Hallett. A few days ago, it is said, they turned Hallett out of the jury room, and locked the door on him."

Patrick Henry's youngest son, Nathaniel, died recently, destitute and alone, at an inn in Floyd County, Virginia, without money, friends, or resources of any kind. The keeper of the tavern applied to the Overseers of the Poor for payment of his board and funeral expenses, but was refused. Nathaniel died of dropsy of the chest a few moments after the operation of tapping had been performed. His last occupation was teaching.

A correspondent of the Hunker Democrat Memphis *Appeal*, boasts that the Catholics as a body have been always opposed to the freedom of the slaves in this country—that Mrs. Stowe's "Uncle Tom's Cabin" met with a poor reception in Ireland, and was condemned by the greater portion of the Catholic journals in that country—and that the Pope of Rome prohibited the publication and circulation of the book in his dominions, "thus stamping the seal of his disapprobation on the work, and on fanatical abolitionism." Three facts worth remembering!

M. Rothschild was asked the other day by a young man, an intimate friend of his family, to lend him 5,000 francs. "No," said the Baron, "I only do business, now, with crowned heads: but I'll get you the money. You may walk with me, once, along the arcades of the Bourse taking me familiarly by the arm." The promenade was effected, and at the end of it, the young man had his 5,000 francs in his pocket, and had refused 50,000 more.

MINNESOTA FILLING UP.—The rush of immigrants to this territory is unprecedented in Western history. Since the opening of navigation the present season, the arrivals to our territory have averaged more than a hundred a day, probably about a thousand a week. Seven eighths of these come to make Minnesota their home. These are universally men of some means, moral and industrious. They take up our new land, and in a week or two from entering our borders are permanently settled as citizens.

FREEDOM AND SLAVERY.—The single State of Ohio had 17,524 more scholars in her primary schools fourteen years ago, than the whole fifteen slave States of the Union; the excess no doubt is much greater now. In the slave States 377 newspapers are published, while in the free States there are 1,155; besides as a general thing the circulation of the Southern newspapers is from 50 to 75 per cent less than that of Northern papers, and their execution is proportionably inferior.

FAIR ON THE WEBSTER ESTATE.—The ladies of Boston, Duxbury, Marshfield, and other towns, are making great preparations for the fair to be held on the estate of the late Hon. Daniel Webster, at Marshfield, on the 23d and 24th of August. Suitable tents have been erected, and arrangements made with the trains from Boston for the conveyance of visitors. The object of the fair is to raise funds for the improvement of the old "Winslow Burying Ground," which adjoins the tomb of Webster.

The Japanese Commissioners at first insisted upon a stipulation in the new treaty that should forbid any American lady from visiting their islands. The cautious barbarians must have heard of the "woman's rights question." But they were foiled by the gallantry of Commodore Perry, who took care of his countrywomen, and refused to have the obnoxious condition inserted.—*Chris. Register.*

An old blacksmith out West had hold of a bit of troth when he declared, recently, "Y-a-s, these railroads are bad things. In my younger days, Pennsylvanians had to travel a horse-back ten or twenty days to reach Ohio, and they then larned something on the way; now the railroads carry them in as many hours and set them down as *green as when they started!* Y-a-s, railroads are bad things!"

The *Home Journal* refers to the curious fact that in Scotland, the cultivation of the potato was once made illegal, *because it was not mentioned in the Bible*. Well, of late, the vegetable has behaved heretically enough to justify more than a suspicion of its orthodoxy. The strict and excommunicating interpretation gave way, however, during the latter part of the 18th century—famine having induced the faithful to encourage the culture even of an unscriptural root.—*Chris. Register.*

A sweet little girl in New-Haven, only three years old, was promised one evening that she should accompany her parents to Boston the next morning. She was much elated at the prospect of the journey, and when she had finished repeating her little prayer, as she laid down to sleep, she said with the most exquisite simplicity: "Good-bye, God—Good-bye, Jesus Christ—I am going to *Boston* in the morning!"

The New Orleans *Bulletin* adds that it is not simply children, but that grown people as well may feel that they bid good-bye to all expectations of divine influences on going to Boston.

A HEN DOING DOUBLE DUTY.—We have a motherly old Shanghai hen, that brought out a brood of chickens two or three weeks ago, and is now busily engaged in clucking and scratching among them—coaxing and scolding if they go astray, and squalling terribly at all the dogs, and cats, and hawks, that show themselves. At the same time she lays an egg every day or two, just the same as if she had no little responsibilities to take care of, and had nothing else to do but to lay and cackle about it. We call this doing double duty.—*Maine Farmer.*

A SCOUNDREL.—A Methodist Minister in Lebanon, Illinois, married a lady with one daughter, a few months since; soon after the marriage, the wretch seduced the daughter! This so incensed the people that they decreed for the offender a coat of tar and feathers and a ride upon a rail. Upon proceeding to his house, they found him barricaded and on the defensive, but, on their threatening to force an entrance, he yielded, and agreed to submit quietly to the tar and feathers, if they would forego the ride. To this they agreed, and on entering found him *in puris naturalibus*, except his socks. The process began; tar was applied in great quantities, but would not stick. The scoundrel had greased himself. The indignant operators then sanded his body, tarred and feathered him, and, in consideration of his cunning, they rode him upon a sharp rail.

CAPTURED AT LAST.—In 1851, we published an account of the whaleship Ann Alexander, Capt. Deblois of this port, being attacked and stove by a sperm whale. The whale was coming at the rate of 15 miles an hour, and the ship going about 5 at the time of the collision. The whale came with full force against the ship's bows and stove in several feet square, almost instantly sinking the vessel, and barely giving those on board an opportunity to escape. The Honolulu *Friend* of May 6, states that about five months subsequent to the catastrophe, the same whale was taken by the Rebecca Sims of this port. Two harpoons were discovered in him marked "Ann Alexander." The whale's head was found seriously injured, and contained pieces of the ship's timbers. He had lost his wildness and ferocity, being very much diseased; but upon being taken yielded seventy or eighty barrels of oil.—*New Bedford Standard.*

DIED.

ANTHONY.—In this city, on the 11th inst., Sarah A., daughter of Christopher Rhodes, Esq., and wife of Ex-Governor Anthony, of Rhode Island.

JAVELLI.—In this city, on the 13th inst., Leon Javelli, one of the members of the celebrated "Ravel Family," aged 33.

ROBINSON.—In Dedham, Mass., on the 11th inst., Elbridge G. Robinson, editor of the *Norfolk Democrat*, aged 49.

DWIGHT.—In Boston, on the 12th, Rev. Louis Dwight, for many years Secretary of the Prison Discipline Society, and brother-in-law to N. P. Willis.

VARGOS.—In this city, on the 13th, Dr. Vargos, ex-President of the Republic of Venezuela, and the intimate friend of Bolivar.

HALE.—In Warren, R. I., on the 15th inst., Hon. Levi Hale, one of the Judges of the Supreme Court of the State, of cholera.

BLUNT.—At Lebanon Springs, of cholera, on the 16th, N. Bowditch Blunt, one of the most prominent members of the New York Bar.

Special Notices.

ANNIVERSARY NOTICE.—The Twelfth Anniversary of the Western Anti-Slavery Society will be held in Salem, Ohio, commencing at 10 o'clock, on the morning of the 26th of August, and continuing probably three days. EDMUND QUINCY, of Boston, is among the speakers expected to be in attendance.

The distinctive principles and measures of the Western Society are more than ever commending themselves to the consideration of the thinking part of community: "No union with slaveholders," is beginning to be regarded by very many as a necessary measure for the preservation of northern rights. And it is hoped that at a time like the present, when the aggressions of slavery have become more outrageous than ever before, every friend of liberty shall be found at his post, prepared to renew his pledges against oppression, and prepared to make new sacrifices, and greater for the cause of freedom.

BENJ. S. JONES, *Rec. Sec'y.*

CELEBRATION OF THE ANNIVERSARY OF WEST INDIA EMANCIPATION AT HOPEDALE.—Under the auspices of the Hopedale Community, it is proposed that a general Mass Meeting of the Friends of Universal Freedom, be holden at some suitable place upon the Domain of said Community, on the FIRST DAY OF AUGUST, ensuing, for the purpose of expressing their gratitude and joy for that noble act of the British Government, by which eight hundred thousand "chattels personal" were at once converted into human beings and free men. In obedience to the beautiful precept of Christianity, we would "rejoice with them that rejoice," and encourage ourselves by the signal triumph, in their case, of Right over Might. We would also "weep with them that still weep," remembering all "that are in bonds"—particularly in our own country—"as bound with them"; and make such use of the day we propose to celebrate, as will, in our judgment, best promote their redemption. Repudiating all carnal and deadly weapons as alike unchristian and insufficient in a moral and humanitary enterprise, and relying exclusively upon those weapons which "are spiritual and mighty, through God, to the pulling down of the strong holds of wickedness," we would, nevertheless, be as uncompromising as truth and justice, and as severe, in our warfare with slavery, and willingly yield it not one inch of ground to stand upon in all our country, or in all the world. Our motto is that of the American and Massachusetts Anti-Slavery Societies: "NO UNION WITH SLAVEHOLDERS"—no union with them in STATE, none in Church—none anywhere, or in any way, which involves a voluntary support of their great iniquity.

But we invite to join us in our proposed Celebration, the true lovers of Liberty of every name and party, promising such as may accept the invitation a cordial reception upon a broad and free Platform. We hope to see many friends present from different and even distant parts of the State; and that Worcester Co., and all our adjoining towns, particularly, will be fully represented on the occasion.

Aside from ADIN BALLOU, and other members of the Hopedale Community and neighbouring anti-slavery ministers, we are hoping to have eminent and eloquent speakers from abroad.

As at the Framingham Fourth of July celebration, the pic-nic plan will be adopted, each person and family bringing their own provisions; though if any should prefer to do so, they will be able to purchase them on the ground.

In behalf of the Committee of Arrangements,

WM. H. FISH.

WEST INDIA EMANCIPATION.—The New York Anti-Slavery Society will celebrate the next Anniversary of the Emancipation of the Slaves of the West Indies, on TUESDAY, August 1st., by a Pic-Nic Excursion to Flushing and a public meeting in the grove known as St. Ronan's Well. Hon. HORACE GREELEY, Rev. SAMUEL J. MAY, and Hon. ERASTUS D. CULVER have been engaged as speakers for the occasion.

The steamboat ENOCH DEAN will leave Fulton Market Slip at 9 o'clock A. M., and the ISLAND CITY at 10 o'clock, A. M., connecting with the Flushing Railroad. Both lines will land their passengers near the Grove. There will be opportunity to return by the boat at 2 P. M., and by the cars at 1, 4 and 6 30 P. M.

Tickets for the Excursion Twenty-five cents, to be had at the Anti-Slavery Office, No. 142 Nassau St., of either of the Committee, and at the dock on the morning of the Excursion.

It is expected that parties will carry their own refreshments.

All friends of the cause, and the public generally, are invited to be present.

LAUREN WETMORE,
ROWLAND JOHNSON, } Com. of Arrangements.
ELIAS SMITH,

NINETEENTH ANNUAL ANTI-SLAVERY FAIR OF PENNSYLVANIA.—The Committee of Arrangements for the Pennsylvania Anti-Slavery Fair invite their coadjutors to commence, at a very early period, their preparations for the Bazaar of 1854. The great success which rewarded their labours, in this department of Anti-Slavery effort, last year, encourage to renewed exertion. The Committee are resolved to do all in their power to make the Fair of 1854 superior to that of any previous year. To accomplish this they rely upon the hearty co-operation of those who have, for many years past, aided them in these labours. They hope to enlist in the work, others, also, who have hitherto stood by, as unconcerned spectators of our enterprise, or have been content to bestow upon it their friendly wishes, excusing themselves from active participation in our efforts. We earnestly invite all who desire that American slavery shall be abolished, to join us in this work. The present condition of our country forbids every true patriot to be inactive now. The efforts which are being made to extend the curse of slavery over an immense portion of our free territory should be met by most energetic action on the part of the opponents of slavery. The battle between freedom and slavery is daily thickening, and if it is to be won for freedom, it must be by the ceaseless vigilance, the untiring energy, of the true friends of Liberty.

Our Annual Fair is an important instrumentality in our enterprise, because it furnishes money, the sinews of war. Nor thus alone; its direct moral influences on public sentiment have been, again and again, proved. Our former fellow-labourers will scarcely need suggestions from us, respecting the modes of working for the Fair. To others who have had less experience in the work, we would say, that almost any marketable commodity will find a sale in our Bazaar. Donations of manufactured articles, or materials for manufacture; of dry goods; of groceries; of products of the farm, the garden, or the dairy; of toys, books, pictures, stationary, &c., &c., will be very acceptable. They who have time to bestow, may use it, most profitably, in preparing various kinds of *nice needle* work. This is much in requisition, and commands speedy sales.

To all who are in any degree interested in our cause, we say, that any donations of money, or the equivalents of money, which may be entrusted to us, will be profitably disposed of, and the proceeds devoted to the dissemination of anti-slavery doctrines and sentiments throughout this nation.

Sarah Pugh,	Margaretta Forten,
Anna M. Hopper,	Emma Parker,
Lucretia Mott,	Sarah L. Child,
Huldah Jackson,	Anna M. Child,
Jeuette Jackson,	Abby Kimber,
Mary Grew,	Martha Kimber,
Margaret Jones,	Rebecca S. Hart,
Gulielma M. Jones,	Elizabeth Gay,
Maria M. Davis,	Hannah Haydock,
Elizabeth M. Davis,	Eveline Supplee,
Emily W. Taylor,	Mary Shaw,
Sarah A. McKim,	Susan W. Shaw,
Clementine G. Ruby,	Elizabeth Carman,
Hannah L. Stickney,	Martha Carman,
Mary T. Stickney,	Mary A. Hall,
Elizabeth J. Lewis,	Lydia White,
Harriet D. Purvis,	Sarah M. Douglass,
Rebecca Plumly,	Hannah Steele,
Mary M. Jennings,	Anne Parker,
Mary Tesse,	E. Clendennon,
Mary A. W. Johnson,	Sarah Kenderdine,
Gertrude K. Burleigh,	Cynthia Collins,
Hester Reckless,	Martha A. Galvin,
Margaret Griscom,	Rosanna Thompson,
Olive Bacon,	Annie Shoemaker,

TWENTY-FIRST NATIONAL ANTI-SLAVERY BAZAAR.—To be held in CITY OF BOSTON, Mass., during the Christmas Week of 1854.—The Managers of the National Anti-Slavery Bazaar beg leave to present their appeal for aid and sympathy once again to every lover of Freedom, whose eye this paper shall reach. We do it in the spirit of that hope which is power, pledging our own most earnest exertions in the slave's behalf, and feeling therefore at liberty to implore the same at the hands and hearts of others.

The present is no time for faithlessness, or delay, or inaction. Its thronging events announce that the *Hour* draws nigh which is to decide, in this nation, the great conflict of Freedom with Slavery. To such an hour shall *Men* be wanting? Shall it find a people weak, timid, selfish, alive only to material success and enjoyment, or shall it be able to summon to its emergency the heroism, the self-sacrifice, the religious faith that bring in their very nature the assurance of success?

The cruelty, the baseness, the danger of slavery is fast becoming apparent to the whole North. Her next lesson must be, that no human legislation can sanctify crime; that if, indeed, slavery be a sin against God and an outrage on man, all laws for its support are part and parcel of the original atrocity, and are to be disobeyed at all hazards.

The most abominable crimes ever perpetrated against humanity have been committed in the name and under the sanction of Law. The persecutions of the early Christians, the persecutions of all the seceders from the dominant church in centuries gone by, the Inquisition, the Massacre of St. Bartholomew, the Witchcraft Delusion of New England, the recent imprisonment of the Madiai, are examples of the truth of what we say. The legal enactments of their day gave sanction to them all even as to the Fugitive Slave Law now.

For the authors of these deeds, shall it be more tolerable in the day of judgment that they trampled under foot the commandments of God, *legally?*

It is as *individuals*, that people must learn their duty touching this matter. The impious and shallow folly which supposes that men as Commissioners, or Marshals, or Soldiers, or Attorneys, can aid in the execution of atrocious enactments without the same amount of guilt before God and man as if it were not "iniquity framed by law," must be met and exposed. When men give account to God for deeds done in the body, this refuge of lies cannot stand. Let us sweep it away now by such earnest promulgation of light and truth on the duty of individual responsibility that no man shall say he sinned ignorantly.

The diffusion and support of those great principles of Justice that underlie the Universe is the work that now claims our labour. For our foundation principle, we assume *the right of a man to himself as against the world*, and we accept every consequence that legitimately flows from this doctrine.

It is in Boston, in the United States of America, in the nineteenth century, where the Declaration of Independence has been yearly read amid the public solemnities and rejoicings for more than seventy years, that this language will be esteemed fanatical, perhaps treasonable. To stir to their inmost depths our own or other hearts, can we add a stronger motive than that presented by such a statement?

All disposed to co-operate with us are requested to communicate with the undersigned Committee.

Anne Warren Weston,	Anne Greene Phillips,
Mary May,	Louisa Loring,
Maria Weston Chapman,	Helen E. Garrison,
Sarah Shaw Russell,	Henrietta Sargent,
Mary Gray Chapman,	Eliza Lee Follen,
Susan C. Cabot,	Caroline F. Williams,
Frances Mary Robbins,	Lydia Parker,
Sarah H. Southwick,	Caroline Weston,
Sarah Blake Shaw,	Eliza J. Eddy,
Mary Willey,	Evelina A. S. Smith,
Sarah Russell May,	Ann Rebecca Bramhall,
Elizabeth Von Arnim,	Mary H. Jackson,
Elizabeth Gay,	Abby Francis,

Anna Shaw Greene.

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Miscellaneous Department.

SHOTS AND SHELLS.

If the world will go a fighting, we of the peaceable class may at least try to understand what the Quixotes are about. With this view we have inquired curiously into the nature of the missiles which, with the aid of villanous saltpetre, they let fly at one another; and the replies we have received enable us to give some account of those diabolical messengers of battle that "hurtle through the darkened air," under the name of shots and shells.

The term SHELL, in military language, signifies a hollow globe of cast iron, the centre cavity being destined to contain either gunpowder alone, or a mixture of gunpowder and bullets; if the latter, the shell is termed a shrapnell, from the gallant captain, its inventor; and also a "spherical case-shot." When filled with gunpowder alone, it is simply a shell, or occasionally a bomb-shell.

The ordinary shell, or bomb-shell if the reader pleases, is a very old invention, dated from at least the beginning of the sixteenth century, and attributed, with strong probability, to the Venetians, who employed this missile with great effect against their enemies, the Turks. Its construction is sufficiently simple, consisting as it does of a hollow cast iron sphere, with an aperture plugged at pleasure, just as a bottle is with a cork. The contents of this round iron bottle are gunpowder; and the intention is, that at a certain period the powder shall ignite, and burst the shell into fragments, spreading far and wide, commiting sad devastation, by virtue of their projectile force; in addition to which, the ignited gunpowder sets fire to any combustible body with which it may come in contact.

When the shell is projected from a gun, and has arrived *at*, or, at any rate *very near*, the object intended to be struck, the ignition is accomplished by means of a contrivance, termed the FUSE. Now every child who has amused himself with a squib or a blue-light will easily comprehend the nature of a fuse, which is a hollow cylinder of wood or metal, stuffed hard with a comparatively slow-burning powder or composition—not capable of explosion, but occupying a certain definite number of seconds before it can reach the internal charge. When shell were first introduced, and for a long time subsequently, they were shot out of short, stumpy pieces of artillery, denominated mortars. At present, they are not thus restricted, all but the very largest being now shot out of cannons and howitzers—the latter a sort of compromise between a cannon and a mortar. It will be perceived that the regulation or timing of a fuse—in other words, the adjustment of its length, in such a way that its fire may communicate with the central charge exactly at the proper instant—is a matter requiring much delicacy of hand, much calculation, and much experience. If explosion take place too soon, the whole effect of the discharge is lost; if too late, then the missile is no better than a common round shot. Thus, at Waterloo, many of the French shells did no further harm than bespatter our troops with dirt, on account of the too great length of their fuse. The shells, failing to explode in the air, fell, and buried themselves in the ground, where, finally bursting, they spouted up torrents of mud; and that was the extent of the damage they effected.

Perhaps, now, the reader will ask how the fuse is lighted. Why, by the blast of the gun itself—although the discovery that it might thus be lighted was the result of accident. For a long time subsequent to the introduction of shells, the fuse had to be lighted as a preliminary operation—a perilous arrangement; for if the gun missed fire, woe to the gunner!

Many attempts have been made, within the last few years, to effect the ignition of shells without the aid of a fuse—that is to say, to ignite them on the principle of the precussion-cap; and if this could be accomplished, they would acquire a great accession of power for many special purposes. Many cases may be imagined in which a shell of this kind would possess a manifest advantage over the common sort; for example, when brought to bear upon ships. The mere bursting of a shell near a ship is not necessarily attended with serious consequences; but the great point to be achieved would be the explosion at the very moment of the contact. The explosion of so large a quantity of gunpowder upon or within a ship's timbers would be productive of an effect so easy to understand, that it need not be described. This consummation is scarcely likely when shells with fuses are employed, seeing that the very force of concussion has a tendency to extinguish the fuse, to say nothing of the chances in favour of a shell's bursting before it arrives in dangerous propinquity to the ship.

All attempts to apply the percussion principle to shells have, so far as relates to artillery, been futile. If the problem of rifling the bore of cannon, however, was solved, there would be no difficulty in the case; for these projectiles, as a matter of curiosity, have been frequently shot from rifled small-arms, and have exploded on striking their object with almost unfailing certainty.

Having described the ordinary shell, it might seem natural that we should proceed at once to the shrapnell; but certain reasons, the nature of which will be presently evident, induce us to preface that description with some notice of canister-shot. Has the reader ever seen a tin case of preserved provisions? No doubt he has; and he will therefore be at no loss to understand the nature of the canister-shot. Instead of a mere tin plate, let him imagine one of sheet iron; instead of dainty provisions, let him fancy the case stuffed full of small iron balls, something larger than musket-balls; and he will then have a good notice of canister-shot.

Now, the sheet-iron canister, although quite strong enough to withstand all the knocks, bumps and other disturbing contingencies of transport, is by no means strong enough to withstand the explosive force of gunpowder; hence, no sooner is it discharged from a cannon, than its walls, splitting asunder, liberate the bullets, which are then scattered just like a charge of small-shot. The devastating effect of this projectile may be readily imagined; but its range is insignificant. Perhaps a distance of three hundred yards may be considered the most effective. Many of us have, doubtless, heard the assertion made, that a musket will kill a man when fired at the distance of a mile; nor, perhaps, is the assertion incorrect, if we make one trifling proviso—namely, that the man aimed at be hit. But the effective range of a musket is scarcely more than a hundred yards; that is to say, if a musket properly charged, screwed in a vice for the purpose of maintaining its exact line of aim, pointed at a target a yard square, and a hundred yards distant, be fired many times in succession, the target will be invariably hit, although not by any means in the same spot. At a distance of six hundred or seven hundred yards, the bullet might be deflected to the extent of a hundred yards in any direction; and at the distance of a mile, its deflection would be so great as to go beyond calculation. Nothing like accuracy of aim, we repeat, can be depended upon with the musket, beyond the distance of a hundred yards. From a consideration of this circumstance, it follows that artillerymen, with comparative impunity, may discharge canister-shot against a platoon of musket-armed infantry. The Minié rifle, however, and, indeed, many other varieties of rifle, are capable of hitting a mark at eight hundred yards' distance, and even more, with greater certainty than a musket at a hundred yards; and therefore, long before a piece of artillery could be brought within canister range, its horses and gunners would be crippled or killed, and the gun thus rendered ineffective. Hence it follows, that since the introduction of the Minié rifle, the advantages of canister-shot are far less than they formerly were under the old musket system.

We are now prepared to enter upon the consideration of the shrapnells, or spherical case-shot. Let the reader picture to himself a common bomb-shell, not filled with gunpowder alone, but with a mixture of gunpowder and bullets; as many of the latter being first inserted as the shell will hold, and gunpowder thrown in afterwards until all the interstices are filled up. Let him furthermore imagine an instrument of this description to be supplied with a fuse, and he will have a true notion of the terrible shrapnell-shell, or spherical case-shot. From a consideration of the various parts of which this missile is composed, he will see that, being discharged from a cannon, it first travels like a common round-shot; but a certain range having been described, and the burning fuse having ignited the gunpowder within, it will burst in pieces, with all the effect of a canister-shot. The shrapnell, then, admits of being regarded as a canister-shot intended to take effect at a very longe range; and the greatest nicety is requisite in apportioning the effective length of the fuse at that distance. In practice, this apportionment is effected by means of a "fuse augur" or borer, which scoops out determinate lengths of the composition. The effective range of such shells is very great: they will do good execution at one thousand or fourteen hundred yards, and are highly dangerous at still greater distances; thus as it would seem, conferring on artillery a preponderating advantage over the Minié rifle. Still, we must not conceal the fact, that the question as to this comparison is still open. The Minié rifle has scarcely been tried in the open field of war. During the progress of the siege of Rome, it did good execution against artillery; the *Chasseurs de Vincennes*, armed with the Minié rifle, having kept up such a destructive fire against the Roman embrasures, that the artillerymen could not stand to their guns. In the open field, it is argued by the opponents of the Minié rifle, cannon would have the advantage, inasmuch as the latter, instead of being stationary, and thus affording a constant mark for the sharp-shooters, would be constantly altering their distance, and thus disturbing the aim of the enemy. No doubt, the remark has much truth in it—but how much, only actual practice in the field can determine. The fact, however, is certain, that the general introduction of Minié and other long-range rifles, will rob canister-shot of much of its terrors; indeed, some experienced men urge the total abandonment of the latter in favour of the shrapnell-shells, the fuses of which can now be regulated with such accuracy that their explosion at any given distance, compatible with their range, may be absolutely depended upon.—*Chambers's Journal.*

CROMWELL'S SOLDIER'S BIBLE.

In the report of Gov. Washburn's speech at the late annual meeting of the Massachusetts Bible Society, as published in your paper last week, there occurs the following statement, viz.: "Go to the time of Cromwell. Observe the causes which made Cromwell and the Commonwealth. In the army, every man had a Bible in his knapsack, and daily read it, and sung the praises of God; and the result was the like of what has been seen in the history of Puritanism."

His Excellency's statement is substantially correct, and the *spirit* of his speech is entirely so. But it is not literally in accordance with historical accuracy to assert that the soldiers carried the Bible in their *knapsacks*, nor was it the *whole* Bible with which the army was furnished. "The Soldier's Pocket Bible" consisted of appropriate selections from the Scriptures, printed in a pamphlet form. It was generally buttoned between the coat and vest, next to the heart, proving, perhaps, sometimes, a defence from the weapons of the enemies of their bodies, as well as from the wicked one who sought to subdue their souls.

But very few copies of this curious Bible have been preserved. Probably the copy in the possession of the writer of this notice is the only one in this country. A brief description of it, therefore, may not be uninteresting to your readers. It was printed on a single sheet, folded in the 16mo. form, and making sixteen pages. The whole title-page is worth copying, as it presents a fair and by no means extravagant specimen of the great titles to little books which prevailed about the time of the English Commonwealth. It was printed within a neat border, and reads as follows:

THE
SOULDIERS
Pocket Bible:

Containing the most (if not all) those places contained in holy Scripture, which does shew the qualifications of his inner man, that is a fit Souldier to fight the Lords Battels, both before he fight, in the fight, and after the fight;

Which Scriptures are reduced to several heads, and fitly applyed to the Souldiers severall occasions, and so may supply the want of the whole Bible, which a Souldier cannot conveniently carry about him:

And may bee also usefull for any Christian to meditate upon, now in this miserable time of Warre.

IMPRIMATUR, *Edm. Calamy.*

Jos. 18. This Book of the Law shall not depart out of thy mouth, but thou shalt meditate therein day and night, that thou maist observe to doe according to all that is written therein, for then thou shalt make thy way prosperous, and have good successe.

Printed at *London* by *G. B.* and *R. W.* for *G. C.* 1643.

The selections from Scripture are divided into eighteen chapters, each with an appropriate heading to indicate the class of passages contained therein. A few examples of these headings or titles will sufficiently show their general character:

1. A Souldier must not doe wickedly.
2. A Souldier must be valiant for God's cause.
3. A Souldier must pray before he goe to fight.

Throughout the work there is manifested entire confidence in a superintending Providence, yet no encouragement is given to the soldiers to neglect any proper personal efforts, or material means for accomplishing their ends—nothing at variance with the standing order, to "Trust in the Lord, and keep their powder dry."

Since Peace Societies have become popular, the question has often been put, with the confident expectation of a negative answer, "Is the profession of the soldier consistent with obedience to the precepts of Christian love enjoined in the Gospels?" Cromwell's whole chapter on this subject is short, and we copy it entire:

"*A soldier must love his enemies as they are his enemies, and hate them as they are God's enemies.*

Matt. 5: 44. But I say unto you love your enemies.

II Chron. 19: 2. Wouldest thou help the wicked, and love them that hate the Lord?

Ps. 139: 21, 22. Doe I not hate them, O Lord, that hate thee, and do not I earnestly contend with them that rise up against thee? I hate them with an unfeigned hatred, as they were mine utter enemies."

There will probably continue to be, as there always has been, a difference of opinion respecting the honesty, integrity, and sincerity of Cromwell. But one thing is pretty well settled, viz: whatever his character and conduct may have become after he gained the dazzling heights of political power, he *commenced* his career a devout and true man; and his army was mainly composed of good men, filled with a desire to promote the glory of God and the welfare of their country.

Cromwell once began to upbraid his cousin, the celebrated John Hampden, for selecting such men for his soldiers, and compared them with those of the King's army. "Your troops," said he, "are most of them old, decayed serving-men and tapsters, and such kind of fellows; and theirs are gentlemen's younger sons, and persons of quality. And do you think that the mean spirits of such base and mean fellows will ever be able to encounter gentlemen that have honour, and courage, and resolution in them? You must get men of spirit, and take it not ill what I say, of a spirit that is likely to go as far as gentlemen will go, or else I am sure you will be beaten still." He was, however, convinced that *good men* made better soldiers than *mere gentlemen*; as he has himself written: "I accordingly raised such men as had the fear of God before them, and made some conscience of what they did. And from that day forward they never were beaten; but whenever they were engaged against the enemy, they beat continually."

Those persons who are fond of tracing coincidences, and pressing comparisons to their extreme limits, may find a wonderful instance of cause and effect in the fact that the success of Cromwell's army commenced immediately on the publication of "The Soulder's Pocket Bible;" and they never after lost a battle!

The Lord Protector has been sometimes accused by Episcopalians of wilfully corrupting the Bible, by altering a certain passage to favour the views of the Independents. It has, however, been proved that the alteration alluded to was a mere typographical error, and unfortunately for the theory of those who would fix the blame on Cromwell, the error first occurred in an edition of the Bible printed under the special supervision of Archbishop Laud.

Walton's magnificent work, the celebrated London Polyglott Bible, the only one of the great Polyglotts that appeared under Protestant auspices and by far the most useful of them all, was published during the Protectorate of Cromwell. He so far encouraged the author of this work as to allow the paper on which it was printed to be imported free of duty. If, in consideration of this paltry favour, he extorted from Walton the promise of a dedication to himself, Cromwell deserves the stigma which attaches to his memory in connection with this work.

It does not lessen the force of Gov. Washburn's remarks, nor weaken the theory which he so ably and eloquently supported, if we admit that, in the latter years of his life Cromwell lost his reverence for the Scriptures and lived in violation of some of its plainest commands. On the contrary, it shows that the burden of the Hebrew prophet to the ancient king who slighted the word of God, has a wider application. "Therefore, behold I, even I, will utterly forget you, and I will forsake you, and I will bring an everlasting reproach upon you, and a perpetual shame which shall not be forgotten. He shall have none to sit upon the throne; and his dead body shall be cast out in the day to the heat, and in the night to the frost."

Impartial history has recorded the facts relating to the Protector's death, the brief authority of his weak son, and the fate that befell the dead body of the once almost omnipotent Cromwell. The parallel between Jehoiakim, King of Judah, and Oliver, Lord Protector of England, is sufficiently apparent, and needs no comment. G. L.

Dana Hill, Cambridge, June 20th, 1854.

—*Watchman and Reflector.*

COMPARATIVE CONDITION OF THE POOR IN GREAT BRITAIN AND THE CONTINENT.

The second point in which it appears to us that continental life has greatly the advantage over our own, is in the aspect which poverty assumes. Rarely in France and Germany does it sink so low as with us. Far more seldom does it reach the form of destitution. Scarcely ever does it descend to squalor. Many causes combine to produce this enviable difference; sometimes it is purchased at a price which we are not prepared to pay; but of the fact of the difference there can, we believe, be no question. We all know how incessantly of late years our sympathies have been aroused, and our feelings shocked and pained by pictures of the awful depths to which misery descends in the courts and alleys of our great metropolis, as well as of Edinburgh and Glasgow; of human beings living by hundreds in dens filthier than styes, and more pestilential than plague hospitals; of men, women, and children huddled together in dirt, disorder, and promiscuity like that of the lower animals; of girls delicately bred, toiling day and night for wages utterly inadequate to the barest maintenance; of deaths from long insufficiency of food; of deaths from absolute starvation. We are not prepared to indorse the heartrending and sickening delineations of Mayhew, Kingsley, and Dickens, in all their details, but neither are we able to withhold our assent to their rough and general fidelity. They are too far confirmed by the cold official statements of blue books for that. Poverty, then, in Great Britain assumes many and frequent forms of aggravated wretchedness and squalor, which, change its character from a condition of privation to one of positive infliction, which make life a burden, a malady, and a curse. In France and Germany, we believe we are warranted in stating, those abysses of misery are never found—or only as anomalous and most astounding exceptions. We never hear of them in Vienna. We believe they could not exist there. There is nothing like them in Munich, Dresden, or Berlin.

Now, when we remember that England is beyond comparison richer than these continental states, and that the earnings of our labouring classes are far higher than those of the same classes in either France or Germany—higher even in reference to the price of the necessaries of life; and that we are accustomed to regard ourselves as standing at the head of European civilization, and as having pursued a more enlightened social policy than other nations; there is much in the contrast we have noticed that should startle us into inquiry and reflection. What are the causes of a phenomenon so painful and discreditable to us? As a general rule, the labouring poor abroad are more respectable in their character and mode of life than their analoga in England—not certainly cleverer, not better workmen, not made of more sterling stuff, than most of the same class with us, but still leading generally a more decent, worthy, satisfactory, social existence; their peasants are more contented, better-mannered, less boorish, and (when unexcited) less brutal, and more comfortable, though often with fewer of the raw materials of comfort; their artisans are steadier, soberer, more cheerful, more saving, and more sensible than ours; and even their *very* poor, destitute, and forlorn, are less wretched, less squalid, less absolutely abandoned and despairing than ours. Why is this? And when we thus come to compare the results of our opposite notions and proceedings in matters of social policy, is there not reason to suspect that, even if the ultimate and average verdict be given in our favour, we may not be so wholly right nor our neighbours so wholly wrong as it has hitherto pleased us to imagine? There must surely be something good and imitable in a system under which, while there is more poverty, misery is less frequent and less extreme than in our free, prosperous, and energetic land.

One of the causes which contribute to this superiority, in Germany, at least, we have already incidentally noticed, and we shall pass it over the more briefly as it is of a nature which we could not imitate or approach. We allude to the care taken by the governments of central Europe that there should be a calling, an opening, a mode of livelihood for every one of their citizens as he reaches manhood—a place at life's banquet in short, to use Malthus's illustration. They take vigilant cognizance of each man's means of support, and do not allow him to marry till these means are reasonably adequate. . . But these restrictions are too foreign to our national notions to be adopted here as externally imposed fetters: all that can be hoped for is that in time our labouring classes may become enlightened enough to assume them of their own free will, as they become conscious of the beneficial effect they could not fail to produce on their condition, and cognizant of the general though moderate and monotonous wellbeing which they are instrumental in diffusing among the inhabitants of central Europe.

A second cause, and perhaps the most frequent and the most powerful of all, in producing the contrast we have noticed in the aspect of French and English poverty, is the more habitual sobriety of the labouring class on the other side of the channel. The voice of intemperance, or where it does not reach that point, the custom of indulgence in spirituous liquors, so unhappily prevalent in our country, may not only do much to account for whatever is peculiarly afflicting and disreputable in the condition of our poor, but is the one main reason why, in spite of our general prosperity, this class has not risen to a height of comfort, case, and opulence unparallelled in the old world. As is well known, our working classes yearly waste in the purely mischievous enjoyments of the palate a sum equal to the whole imperial revenue;* a sum which, if suffered to accumulate, would soon render them capitalists; if invested in annuities or savings banks, would secure them against the day of reverse or incapacity; if judicially expended, would raise them at once to a condition of comfort, respeetability, even of luxury, and if they desire it, of comparative leisure. A cessation of this expenditure would be equivalent to raising the earnings of every poor man's family throughout Great Britain, by £10 a year, or 4s. a week. But this would be the smallest portion of the saving. The whole habits and mode of life of the individual would be regenerated. The home would become happy; the whole domestic circle would be a scene of peace instead of strife. There would be few filthy dwellings, few neglected children, few of those scandalous cases of wives half-murdered by their drunken husbands, which now disgrace every police court in our cities. It is impossible to overcolour or exaggerate the change which that one circumstance would make. All who have had to do with the poor know how directly, how inevitably, how rapidly, a habit of drinking, yielded to by the head of the family, changes poverty into destitution, stinted means into squalid wretchedness, a home into a den. The French artisan comparatively seldom gives way to this dreadful vice, and seldom, therefore, incurs the sordid misery which is its invariable consequence. He is often, generally, much poorer than his English brother; his fare is scantier; his house is smaller; his bed is harder; but he rarely aggravates these privations gratuitously by sensual indulgence; seldomer still does he cast these privations on his wife and children, while living in wasteful intemperance himself.

But connected with this greater sobriety, and operating in the same direction, is another cause of the superiority of the French poor man. He is by no means always better educated, but he has nearly always, whether from nature or training, a degree of taste and imagination of which our poor are sadly destitute. These qualities give him, in however straitened circumstances he may be, a fondness for the embellishments and amenities of life, which makes him strive against squalor to the very last. He refuses to accept an utterly unornamented and inelegant existence, and because he is pinched, overworked, and even almost destitute, he does not see why he should also become thoroughly hopeless, spiritless, and degrading. Much of this æsthetic superiority is owing, no doubt, to original difference of constitution; much of it may, we believe, be traced to peculiarities of education. The French peasant is probably in general as ignorant as our own; but in what education he does receive there is mingled less that is merely rudimentary and mechanical, and more that is imaginative and refining. This is still more the case with the German and the Swiss. They have less of the alphabet instilled into them, but more of music, poetry, and the sentiments of poetry. Altogether, the temperament of the labouring class on the continent, while sometimes more excitable, and sometimes more homely and stupid than in England, is nearly always more poetical. One fact has always struck our attention very strongly in Paris. In the worst dwellings of the poor—we do not mean the haunts of the actually vicious and criminal, but in the wretched attics, seven or eight stories high, quite in the roof, and with little light, which must be fearfully close in summer, and painfully cold in winter—we almost always see the little window, not only ornamented by a coarse muslin curtain, but adorned with flower pots, or boxes of cress, or mignionette, or some humble vegetable, and evidently attended with the utmost care. There will never be absolute despairing squalor, however great the poverty, where there is this love of flowers, this passion for fragments of simple nature.—*North British Review.*

* Mr. Porter has shown that this amount cannot be less than £54,000 per annum.

EXTRACT FROM THE DISCOURSE OF REV. JOHN WEISS,

June 4th, on the Rendition of Burns.

What kind of anarchy is so inwardly destructive, as that of a peaceful and triumphant iniquity? What disorder will compare with the orderly execution of a corrupt law? What strikes so bitterly at the inner peace, what relaxes so fatally the sense of moral obligation, and what shakes so rudely our reverence for a just and interposing God? What can we believe in, when disorder borrows all the elements and majesty of Law successfully to organize itself; when we see the powers that are ordained of God using their holy ordination to make a sin prevail? *If there were* danger in conscience, a thousand times better run that danger, than suffer the public sensibilities to be so shocked to see the Law, that servant of God, holding its ægis to shelter a corruption, and levelling its shining blade against the breast of justice. Can the preservation of material order atone for that? What shall it avail though streets and cities are never stirred from their propriety, if all the anarchy, impressing all the law, takes advantage of the public peace to wreak its will? The greater the tranquility that attends the commission of a wrong, the greater is the tumult and disorder in the very citadel of human life!

The sense of loyalty in the heart of this people will be shattered by the successes of this unholy law. Remove the anarchy that lives by authority, before the anarchy of awakened passions fills the street. Preserve in the people their salutary sense of the sacredness of Law, and let them worship her as the unblemished servant who has received her ordination at the hands of God. Pull from her white attire, which adorns her as she sits in judgment, this bloody mantle which expedient men have thrown around her, and let her garment have a hem that we can stoop to kiss with honour and devotion. Can we be any longer seduced to believe that the blessings of peace and Christian grace can reign among us, and that injustice can be a fountain of harmony? Step by step has the power which governs us proceeded to the accomplishment of its deliberate policy, and every step has shown that the next has been premeditated; it passes with equal indifference over solemn contracts made with man, and the still holier principles of Divine equity. It depends upon our loyalty to be its passive servant to the end. And it is now, as ever, the duty and office of the Christian pulpit to ask the people to judge whether it be right in the sight of God to hearken unto men more than unto God. The health and vigour of the public conscience stand affected, and the efficiency of public worship to keep alive the memory of a perfect Saviour, to preserve it from the stains of dissolute compromises, that it may be our guide and judge, a counsellor of Christian loyalty, a comforter to the oppressed. How far the shadow has crept over us while we have slept! It lies across our altars, it would fain creep so high as the voice of the preacher, and touch his prophecy with paralyzing chill. Shall we be loyal to the extent of extinguishing the source of true loyalty in an uncontaminated Gospel? Where shall law build her foundations, and where shall Justice plant her pillars, except upon that corner stone? It is a duty of religion, as well as a dictate of morality, to remove what brings so great a scandal upon the divine ordination of authority; that the life of the people may tranquilly rest upon assurance of justice, that patriotism may be as large as duty, and that all our inheritance of manliness from former times may be kept devoted to the liberty which they secured, and be no longer held to service as slavery's protector. Into this solemn purpose the success of this or that party cannot enter: let not the fatal name of party be so much as mentioned in connection with this sacred duty. Where the health of conscience and the purity of law are concerned, where a clear conception of the Gospel's redeeming principles is involved, but one hope shall light us on the simple path which we must tread, that all men may come together in the power of one opinion, to demand repeal, and with single mindedness to demand it, till the voice grows loud enough to confirm its claim. Do not let the side-whispers of party mingle with its clear and certain tone, for it is to proclaim a holy mission, being no less than that of reinstating the sanctity of law and withdrawing the countenance of a Christian people from the ways of the oppressor. If our heart be single, free from ambitions, and filled with the power of truth alone, we shall see Divine justice win a perfect triumph. Then at last we shall enjoy peace united with honour, because we shall have sealed up the source itself of anarchy. And let this be our prayer: O God, who hast brought us thus far in the path of our destiny, fill our souls with the heavenly light of a true purpose, that we may make our testimony in union and devotion, and cause our future to repay with righteousness thy mercy to us in the past.

A NEW ESSAY BY LEIGH HUNT.

The pleasant author of the "Indicator," the "Seer," and many other essays which will long be classed [says an Edinburg paper] among the most genial and delightful things in English literature, is still writing with as much liveliness and boyishness of heart as ever. The latest of his productions appears in the *Musical Times* of Thursday last—a publication which we know to be a favourite with the lovers of the "divine art" everywhere, but which may not fall into the hands of those who are only lovers of such literature as Leigh Hunt can give us. We therefore take from it the following pleasant thoughts "On the Combination of the Grave and Gay":

It is a very narrow-minded notion to suppose, that because a man is gay, he cannot be grave; or that because he is grave, gaiety can never become him. The opinion arises from the dulness of those who hold it, and from their inability to put two ideas together. Some of the very gravest men have been some of the gayest; and *vice versa!* To the amusement which is given our brains, is added the approbation of the heart. What might have seemed nothing but levity is found accompanied with the best kind of gravity. The man whom we might have feared as a satirist, we think we might count upon as a friend.

It is the same, in its degree, with every combination of the gay and grave. We admire Shakspeare doubly, and like him all the better for having written comedy as well as tragedy. Had he and Milton been contemporaries and magistrates, we felt that a prisoner would rather have been brought before the great universalist than before the poet who could not jest. The really strange thing is, that gravity and gaiety should not always be found in combination, since each ought naturally to be supposed to intensify each. It was a maxim of the schools, that "things are known by their contraries;" and as the eye which best discerns black may reasonably be supposed to have the best perception of white, so the force of contrast, one might think, would the more deeply enforce on the mental perception the essential differences of grave and gay. We doubt, indeed, whether on inquiring into the matter, it would not be found, that whatever may be the case with minor wits (and many such have certainly existed, who have had wit and nothing else), no very great wit ever existed who had not an equal fund of gravity. His wit itself could not have been subtle and profound without it. Minor wits discern only the superficial difference of things. Their powers do not pierce to the core for want of knowledge of the core itself; to the heart for want of knowledge of the heart; the *pia mater*, the profound and religious portion of the brain. Their jests do not hold philosophies, griefs, reformations; are not founded on the cravings of man's weakness for strength, on his regret that he cannot square "the shews of things by the desires of the mind;" which in certain respects is the greatest of all contrasts, and therefore at once the profoundest and most melancholy suggester of wit, the essence of which consists in the combination of remote ideas.

The wits now reigning among us, the Dickenses, Jerrolds, and Thackerays, are remarkable for their combinations of grave and gay; for the vein of tenderness which forms so beautiful an under-current to their satire; and for that love of the general good, and that freedom from personality for its own sake, which has exalted the character of satire itself, and shown how it can be rendered a true instrument of reformation.

Much is said sometimes about dignity of manner, and the respect which it procures for this or that writer, painter, or musician. But the worth of this respect depends on the real amount of the worth that inspires it, and on the qualification of its bestowers to award it. Respect may be paid where the claim is a cheat, and withheld where it is doubly owing. Men who are too dull to be anything but grave themselves, may see an egotistical reflection of themselves in the perpetual gravity of another man. Feeling that they would be ruined and ridiculous if they attempted vivacity in their own persons, they may naturally desire to have a contemptuous opinion of a quality which nature has denied them. But respect for such persons, instead of doing merit itself honour, is nothing but defect and vulgarity, and stands a chance of becoming a satire. "Have I said anything foolish," asked Phocion, when a mob applauded him. Milton, justly respected by everybody, is also spuriously respected by many persons, whose right to estimate him at all he would have disowned; but what Englishman who can laugh as well as be grave, respectful soever as he may be towards Milton, does not doubly respect the man who could write both "Lear" and "Twelfth Night," "Othello" and "Much Ado about Nothing?" Nay, what thorough humourist, even in Italy, what Tuscan qualified to sympathise with entire humanity, to wish the best and noblest for everybody, and regret defect in any one, would not have respected so great a poet as Dante's very self the more, and thought dignity added to his dignity, had the possession of a more comic perception of the ridiculous enabled him to see the absurdities of his own passion and bad temper; disclosed to him the shortcomings, however exalted, of an energy founded on pride and resentment; and crowned him with the only virtue which lifts a man's head into the air of heaven, which is charity?

Men who have great tasks before them, must undoubtedly show themselves capable of a seriousness equal to the task; but how is this to hinder a great and healthy nature from doing justice, at proper seasons, to any other portion of itself, and seeing fair play to the smiles with which heaven has gifted the creation. Men the very best, may be misconceived by folly, and misrepresented by jealousy and unworthiness; but accidents like these apart, no man, who sympathies entirely with the emotions of his fellow-creatures, will ever be deprived of an equal amount of their respect, provided only he knows when to time the expression of what he feels; and, indeed, not to know this, would be to show that his sympathy was imperfect; in which case, he would not be the man we speak of.

WILD FLOWERS.

Beautiful children of the woods and fields!
That bloom by mountain streamlets 'mid the heather,
Or into clusters 'neath the hazels gather—
Or where by hoary rocks you make your bields,
And sweetly flourish on through summer weather—
I love ye all!

Beautiful flowers! to me ye fresher seem
From the Almighty hand that fashioned all,
Than those that flourish by a garden-wall;
And I can image you, as in a dream,
Fair, modest maidens, nursed in hamlets small—
I love ye all!

Beautiful gems! that on the brow of earth
Are fixed as in a queenly diadem:
Though lowly ye, and most without a name,
Young hearts rejoice to see your buds come forth,
As light erewhile into the world came—
I love ye all!

Beautiful things ye are, where'er ye grow!
The wild red-rose—the speedwell's peeping eyes—
Our own blue-bell—the daisy, that doth rise
Wherever sunbeams fall or winds do blow;
And thousands more, of blessed forms and dyes—
I love ye all!

Beautiful nurslings of the early dew,
Fanned in your loveliness by every breeze,
And shaded o'er by green and arching trees:
I often wished that I were one of you,
Dwelling afar upon the grassy leas—
I love ye all!

Beautiful children of the glen and dell—
The dingle deep—the moorland stretching wide,
And of the mossy fountain's sedgy side!
Ye o'er my heart have thrown a lovesome spell;
And though the worldling, scorning, may deride—
I love ye all!

Robert Nicoll.

THE MORMONS IN CALIFORNIA.

It is not yet three years since the Mormons settled in San Bernardino. Then it was a mere range for cattle; but by organized industry and well-directed labour, it has now become one of the most important and fruitful portions of the State. And the system which prevails among them in political matters of voting one way—of uttering their sentiments as by the voice of one man, will, with their increasing numbers, give them great power. They are neither Whigs nor Democrats, and their practice is to go for their friends. By their unity in this respect they are destined, in close contests, to control elections.

On a first visit among them, one is struck with the stillness and apparent dulness of the place; but this arises from the order of labour which their system imposes upon every member. There are no idlers; every one must produce according to his capacity; and all their labours go on in the most systematic manner. Every one you meet walks as if he was upon business. Some are ditching for the irrigation of the land; some are cutting timber in the mountains; others are hauling it to the plain; some are cultivating the fields; some are looking after stock; some are building; some trading. Every one is doing something with a view of permanent utility. Their property is not held in common, but the church and each individual is benefited by the labours of all the rest. So far as industry in the development of the resources of their lands is concerned, there is not a community in the State that can compete with them.

The rancho is situated at the mouth of the Cajon Pass, and all the travel hence to Salt Lake passes through the city. In the Cajon there is abundance of water for mills and for irrigation, and it is carried over the bottom lands in every direction, and will be brought through every street of the new city.

The old fort, with its ungainly proportions, will soon be abandoned. The new city, which is located a little to the east of it, is surveyed, and the lots are now offered for sale at an average price of one hundred dollars. There are already two or three handsome buildings erected, and several more are in progress. Bishop Crosby is about erecting a large hotel, which he means shall be an ornament to the city.

The Mormons never go to law, and it is very evident that they do not wish any outsiders to come among them for that purpose. They have an aversion for lawyers as stirrers up of litigation. No case has ever yet come before the State Courts in which the Mormons were parties. All their difficulties are settled in the "Bishop's Court," where each party chooses a referee, and their decision is final. They have no jail, and when they find a criminal, they put him in chains and set him to ditching or some other public improvement. It does a man no good, they say, to confine him; besides, confinement is an expense to the community, and they cannot afford to support any man in idleness.

There are many intelligent men and women among the Mormons; and if we are to believe them they are the most happy community in the world. No thieves, no jails, no rowdies, no grog-shops—they serve the Lord in all their daily labours. The interest of the church is part and parcel of every contract. They hold on with great tenacity to the tenets of their faith and to the revelations of the prophet Joseph, and have ever been ready to suffer for their faith's sake.

We put them down as polytheists—believing, however, in a great First Cause. They regard Adam as the God or governing spirit of the planet. Their belief in a state of future rewards and punishments, as explained to us, is this: that by a strict adherence to, and faithful performance of, all the requirements as revealed to them by the properly delegated authority (what they term "obeying council"), they will reach a "state of exaltation" in a future world. In other words, will be made "kings and rulers over principalities and powers;" their wives and children being sealed or married to them in this world, as also their children's children unto the latest generation, thus enabling them to stand with dignity among the just made perfect, as head and ruler of a great generation. This is their chief "exaltation." The neglect of duty and of the practice of the cardinal virtues in this world is punished by witnessing the elevation of old associates, while they are compelled to move in a subordinate and subservient capacity. They believe that, after death, they are reunited to their wives and families, and occupy the same positions and engage in the pursuits on this sphere that they did while in the flesh.

They found their practice of polygamy upon the necessity of increasing their families, and this doctrine is strenuously advocated by intelligent ladies. But we will give these ladies the benefit of this remark, however sincere they may have been in their advocacy of this doctrine with us, they allow no divided affection in their own houses. These ladies proclaimed polygamy as a beautiful conformity to the laws of God. The happiness and unity of this people, as related to us by the few we were able to converse with, gave us pleasant impressions; but we could not help thinking that, could we have mingled with the masses and listened to their tales, we might have heard things not so favourable. Polygamy may be good for population, but we do not believe it increases human affection, nor does it develope the "sweet little courtesies" which render social life agreeable. Mormonists may be good, but we believe in something better.—*Los Angeles Star, May* 20.

DR. JOHNSON'S LOVE OF THE POWERS THAT BE.

Johnson was a constant friend, if he may not be considered a reverent worshipper, of power. Few could explain more clearly the general principles of freedom, or urge more successfully the force and foundation of every man's claim to social influence; but he wanted more of that liberality of sentiment which concedes to man, as such, the rights to which by nature he is born. He saw things as they are distinctly enough, when not discoloured by prejudice; but his mental, like his physical vision, failed to catch the more exquisite beauties of the prospect stretched before him. He could comprehend what the human mind was doing and might be expected to do, as it was impelled by the influences then eliciting its energies; but he reached not far enough forth to anticipate the future of our being, to grasp the grandeur of human destiny. Liberty, especially when in the power of, and thought to be imperilled by, his political antagonists, found nowhere a more fearless friend than Johnson. His fierce denunciation and scathing sarcasm fell with withering force on all oppression or unjust restriction as it threatened himself or his own party. He would at times acknowledge the advantages accruing to society from the general diffusion of wealth and intelligence, and consequent influence among the people; yet he cast many lingering looks of regret on the palmy days of feudal history. As he journeyed through Scotland, he delighted to dwell on the times and scenes of Highland story, when every clan had a chief, and every chief had about his person and palace, such as it was, a devoted hand of subjects to serve him in peace, or at his bidding to go forth to battle or to death. Addressing Sir Alexander M'Donald, "Were I in your place, sir," said he, "in seven years I would make this an independent island. I would roast oxen whole, and hang out a flag as a signal to the Macdonalds to come and get beef and whiskey." Every vestige of ancient authority was esteemed by him to veneration. "No, no," said he to Lady Macleod, who wished to exchange the old residence of power for one more convenient; "no, no. Keep to the rock; it is the very jewel of the estate. It looks as if it had been let down from heaven by the four corners to be the residence of a chief. Never leave Rorie Moore's Cascade." Johnson loved to think of these ancient chieftains, and enjoyed the gratification of transporting himself back in fancy to their times, and sharing their feelings. A painter might wish for such a scene as that presented by the motley crowd of half-wild men and women, with their little ones collected together at Auchnashael, with Johnson in their midst, endeavouring at an age of more than three-score years to realize to himself the ideas and emotions of a chief, as he changes his shillings, and distributes his coppers among the eager throng, unable to understand a word of the language he spoke. Old as he was, and familiar as more than thirty years had made him with the bustle and splendour of the British metropolis, the scene roused his enthusiasm, and he seemed to feel some of the impulses which he loved to evoke. "Were I chief," was his language, "I would dress my servants better than myself, and knock a fellow down if he looked saucy to a Macdonald in rags." Though masculine common-sense was strongly marked on all that Johnson wrote or said, he was not free, as we have before intimated, from obstinate prejudices. There were some questions on which he would not look, but through a false medium. A "Whig" was generally "a dog;" a Presbyterian an unauthorized schismatic. Reformation was esteemed for the most part revolution; political or religious dissent, rebellion. The people's right was the right to obey; the ruler's duty, to enforce obedience. The diffusion of power was the way to anarchy—the surrender of the strong-holds of civilisation and security. Popular progress, in its noblest sense, would be social retrogression; and disesteem of the aristocracy an onslaught on the constitution. He was not the man to outstrip his age, save in literature. A steady friend to morality, religion, and liberty as he found them, he wished not to look back, and he feared to look far forward. His prejudices were ever present and powerful in his lightest sallies, and in his most serious efforts. In his dictionary his "Whig," and "Tory," and "Excise," his "oats, the food of men in Scotland, and of horses in England," might have been chosen to display rather than to gratify party feelings.—*From Bullock's "Pictures of Genius, their lights and their shades," just published.*

Gleanings from Foreign Publications.

The Advice of a Prosy Teetotaller.—There are actors and authors who imagine that wisdom will come from drinking, for the simple reason, I suppose, that Minerva was born of a splitting headache.—*Punch.*

—— Alexander Dumas.—The famous chateau of Monte Christo, which Alexander Dumas built near St. Germain, at an expense of £18,000, has just been sold for £1,240—no more! The wild manner in which this clever writer has squandered his enormous earnings is almost incredible.

——Mr. J. B. Gough, the American temperance lecturer, in an oration at Exeter Hall, in support of the London Temperance League, to show how hard a matter it was to save a drunkard, stated that out of 600,000 persons who had signed the pledge in the United States, 450,000 had broken it.

—— A carpenter who had gone through "a great deal" in the way of business, was made the subject, when dead, of the following epitaph:

Posts oft he made, yet ne'er a place could get;
And lived by *railing*, though he was no wit;
Old saws he had, although no antiquarian;
And *stiles* corrected, yet no grammarian.

——A Slave Banner.—Burns, an escaped slave at Boston, has been remanded back to his master. "The streets," we learn, "were lined with troops and commanded with cannon." And what was the flag? Surely not the star-spangled banner, but the Black Flag, with Legree's skull and cross-bones.—*Punch.*

—— Our Musketry.—It is said that every soldier fires away his own weight in lead for every man that he hits. There is a proverb that says every bullet finds its billet; but if that means that every bullet finds its man, it is not true of more than one in eight hundred; for, in the desultory warfare at the Cape Colony, it is calculated that every wounded Kaffir cost us 3,200 balls.—*Household Words.*

—— Courage of the Cummings.—The wife of one of the officers of the 11th Hussars, and sister to the great African lion hunter, accompanies her husband to the east. Her habiliments are prepared for active service. She is to have a black belt, in which two of Deane and Abram's revolvers are placed. She has been practising daily at the shooting gallery in Dublin, and promises to avenge her husband's death should he fall by leading on his troops our against common enemy.

—— The oldest member of the Grand Army is a soldier named Harmand, now in the *Hotel des Invalides*. He was born on the 30th November, 1750, at Richmond (Moselle), and is consequently now nearly 104 years of age. He took an active part in the great events of two centuries. He embarked when almost a child under Louis XV., and made the campaigns of Admirals Rochambeau and Bailly de Suffren, the wars of American Independence, and those of the French Republic and of the Empire, and only retired from the service after the battle of Waterloo. He had received at different times forty-three wounds. It is only very lately that the Emperor ordered his admission into the Hotel.—*Galignani.*

—— The King of Portugal.—On Monday the King of Portugal and Duke of Oporto, attended by the Portuguese Ambassador and several distinguished persons, were received at the Mansion House by the Lord Mayor and Aldermen, and Common Councilmen at twelve o'clock, his Majesty having appointed that hour for receiving the address of the City. The King in reply stated that he had visited this country not for his amusement but for his instruction, and for the purpose of better fitting himself hereafter to guide the destinies of the noble people over whom he was called to rule. As to the relations between England and Portugal, he stated that throughout the course of his reign his constant and firm purpose would be both to maintain the institutions of his country and to render more and more close the relations which have united and continued to unite the two nations.—*Liverpool Paper.*

—— Last Moments of Captain Giffard.—The *Kreutz Zeitung* gives the following description of the last moments and burial of poor Captain Giffard: "We have received interesting dates from Odessa of the 2d June. On that day, at three P. M., the interment of Captain Giffard, of the Tiger, took place. By order of General Osten-Sacken, the whole crew, prisoners of war, as well as the Governor-General Annemkoff, with the other military authorities, attended the funeral. A Russian battalion in parade order formed an escort to the coffin, and fired the usual volleys over the grave. Nearly the whole population was afoot, and followed the procession. The sturdy General Osten-Sacken took the deepest interest in the fate of the Captain during his illness. A little before his death, Giffard called the crew around his bed, and said, 'Lads, you owe your lives to my being wounded; this hindered me from blowing up the ship. Farewell! Greet our dear England for me when you see it.' After these words he asked for a glass of lemonade, turned his face from the sailors to the other side, and died breathing a prayer."

——Washing Day in the Baltic.—Some of the officers in the Baltic have been writing home to their mammas for the means of washing and ironing their own linen, as well as for ample instructions how to "get up" a shirt. One gallant youth entreats that full directions may be given him as to the whole details of the operation, with hints as to where to begin and where to knock off. He also urges his mamma to send him by an early packet, a packet of starch, for though he is prepared to pay a stiff price for the article, he does not like to be without it, as its absence prevents him from showing a bold—shirt—front to the enemy. It is to be regretted that the thoughts of our naval officers should be absorbed in the washing-tub at such a critical moment, and there is reason to fear that they will have too many irons in the fire, if they are found ironing their own collars when they ought to be mangling the breast-works of the enemy. A lieutenant with his hands in the suds can scarcely be prepared for a sudden emergency, and we would therefore recommend a naval hero to learn to "rough it" with his linen as well as with everything else while on active service.—*Punch.*

—— Acclimation of Animals.—M. Geoffrey Saint Hilaire and other eminent naturalists in France are beginning to turn their serious attention to the acclimation or domestication of animals which have hitherto been totally unknown to Europe, or known as objects of scientific or idle curiosity. Within the last month they have received for the Jardin des Plantes, at Paris, a number of yaks, from China—an animal which Buffon says "is more precious than all the gold of the New World." In Thibet and China this animal serves as a horse, an ass, a cow, and a sheep; be bears heavy burdens, draws large loads, supplies milk, has flesh which is excellent, and hair which can be wrought into warm clothes. To naturalise him, therefore, in Europe would be an immense service to mankind; and as he bears cold bravely the French naturalists have every hope that they will be able to do so, though, by the way, the late Lord Derby made the attempt, and failed. Some Chinese have been brought over to attend the yaks, and they will teach the French the way of treating them, and curing them in sickness. The yaks are of a lowish stature, are singulary shaggy, and have tails more bushy than those of horses. It is to be hoped that England will take her share in endeavouring to accustom Asiatic, American and African animals to our European climates. It is not very creditable to our boasted nineteenth century that, in this respect, it is far behind the old Romans; out of the many thousand species of which the animal creation consists only between forty and fifty are in fact domesticated.—*Literary Gazette.*

—— Duelling Absurdities under Louis XV.—One afternoon that M. de Saint Foix was seated at his usual table, an officer of the king's body-guard entered, sat down, and ordered "a cup of coffee, with milk, and a roll," adding, "It will serve me for a dinner!" At this Saint Foix remarked aloud, that "a cup of coffee, with milk, and a roll, was a confoundedly poor dinner." The officer remonstrated; Saint Foix reiterated his remark, and again and again declared, that nothing the gallant officer could say to the contrary would convince him that a cup of coffee, with milk and a roll, was not a confoundedly poor dinner. Thereupon a challenge was given and accepted, and the whole of the persons present adjourned as spectators of a fight which ended by Saint Foix receiving a wound in the arm. "This is all very well," said the wounded combatant; "but I call you to witness, gentlemen, that I am still profoundly convinced that a cup of coffee, with milk, and a roll, is a confoundedly poor dinner!" At this moment the principals were arrested and carried before the Duke de Novilles, in whose presence Saint Foix, without waiting to be questioned, said, "Monseigneur, I had not the slightest intention of offending the gallant officer, who, I doubt not, is an honourable man; but your excellency can never prevent my asserting that a cup of coffee, with milk, and a roll, is a confoundedly poor dinner." "Why, so it is," said the duke. "Then I am not in the wrong," remarked Saint Foix; "and a cup of coffee"—at these words magistrates, delinquents, and auditory burst into a roar of laughter, and the antagonists became friends.—*Table Traits, with Something on Them.*

—— M. Kossuth in the Provinces.—M. Kossuth will visit Liverpool in the course of a fortnight. Next week he is to be in Glasgow. In a letter to a friend in the latter city, he says:

"The state of my health does not permit me to take any engagements for the next few days. Besides, I desire to see the effect of the words already spoken, so as to judge whether it be worth while to continue; because it is not personal distinction and honours of receptions I aim at; these I rather consider burdensome; it is not even sympathy I desire to excite. I know that Great Britain, as a State, will never do anything from sympathy. That which I aim at is, that public opinion of Great Britain should well consider the interests of Great Britain itself, and in that direction I in conscience believe I have said enough to reflect upon. If that does not tell—if Great Britain is satisfied to have such ruinous wars as from 1792 to 1815, when it spent an ocean of blood and myriads of millions to have the Bourbons restored, whereas the end of the song is that they have a Napoleon not only restored, but coveted for an ally; well, if Great Britain is satisfied again to have such vain and ruinous wars without any effect; and if *the truth* can gain nothing but local cheers (read Douglas Jerrold's powerful, bitter article in his last *Lloyd*), then certainly I can have no inclination to wear out my strength, with nothing else for practical result but huzzas. My country has yet a future, at all events; but I scarcely can expect this future from Great Britain should it appear indifferent to its own interests. Therefore I wish to see how matters go on. I do not say that I shall not accept any invitation more. For the next ten or twelve days I think best to remain quietly at home."

—— Lamartine.—M. de Lamartine, it is well known, since his exclusion from political life by the last Bonapartean revolution, has, partly from choice, and more from pecuniary necessity, occupied himself most actively in literary pursuits. In addition to a "History of the Restoration," a "History of the Constituent Assembly," and other works of pretension, he has brought out a bi-monthly periodical called the *Civilisateur;* and this periodical he has filled with the biographies of the great men, poets, generals, rulers, and others, of former days, from Homer downwards. On such personages, it would not be easy after years of research for any mortal man to give anything new; and Lamartine had neither time nor inclination to do more than compile his matter from well-known biographical sources. We hear from Paris that there is every prospect that these biographies, of which an English translation has just been published by Mr. Bentley, will henceforth assume a certain degree of political and literary importance, inasmuch as Lamartine has discovered that in recording and commenting on the career of the illustrious dead, it is easy to say very disagreeable things of the living, and also to advocate opinions palpable to large political parties but hostile to the powers that be. One of the most recent notices was on the great father of the Gallic church, Bossuet; and in this treatise he, with the greatest apparent innocence, managed to annoy the existing government of France exceedingly. This having become known, the notice was, as a matter of course, extensively read. More annoyed still became the government, and it made one of its hired scribes assail the biography in vehement terms on literary, political, and religious grounds. Lamartine was not sorry to find that he can still make his political power felt; and his publishers were delighted, as the attacks made the work sell. So great, at length, became the public demand for the offensive *brochure*, that it was determined to reprint it in a book form, and Lamartine accompanied the reprint with a preface, in which he said a good deal more, and in much stronger terms than he had ventured to put forth in the body of the article. By some strange oversight, the preface was printed in one of the semi-official organs of the government, but the circulation of the paper was immediately prevented. Since then the government authorities have been trying all the means in their power to get Lamartine to suppress or modify the offending preface. He has peremptorily refused to do either, and in consequence the whole work has been seized by the police. This has vexed him greatly, and he has just left Paris in disgust. And so stand matters for the present.—*Literary Gazette.*